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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
TERRITORY OF NEW MEXICO:

TENTH SESSION,



Convened and held in the City of Santa Fé, Territory of New Mexico, this (Monday) the 3d day of December, A. D.

1860, it being the time established by law for the commencement of the Annual Session of the Legislative Assembly of said Territory.

SANTA FÉ, N. M.

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

1860-61.

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HOUSE OF REPRESENTATIVES
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TERRITORY OF NEW MEXICO.

MONDAY, DECEMBER 3, 1860.

Tenth session, convened and held in the City of Santa Fé, Territory of New Mexico, this (Monday) the 3d day of December, A. D. 1860, it being the time established by law for the commencement of the annual session of the Legislative Assembly of said Territory. Present,

From the County of Taos—Messrs. T. D. Wheaton, Sabino Mondragon, Felipe Sanchez, and José A. Martinez.

From the County of Lo de Mora—Mr. José Mestas.

From the County of Rio Arriba—Messrs. Juan A. Roival, Gerónimo Jaramillo, Pablo Gallegos, Francisco Salazar, and Manuel Trujillo.

From the County of Santa Fé—Messrs. José M. Gallegos, Miguel E. Pino, and Vicente Valdez.

From the County of San Miguel—Messrs. Levi J. Keithly, John Whitlock, and Emitterio Rael.

From the County of Santa Ana—Esmeregildo Sanchez.

From the County of Bernalillo—Messrs. José Antonio Garcia, Miguel Antonio Lovato, and Vicente Chavez.

From the County of Socorro—Messrs. Rumaldo Baca and Candelario Garcia.

There being a majority of the Representatives of the Territory present,

On motion of Mr. Miguel E. Pino, Mr. Geronimo Jaramillo, was appointed Speaker *pro tem.*, and took the chair as such.

On motion of Mr. Garcia of Socorro, Mr. Facundo Pino was appointed Chief Clerk *pro tem.*

On motion of Mr. Wheaton, the members present delivered their credentials of election to the Speaker.

Mr. Pino then offered the following resolution :

“Resolved, That the Hon. Kirby Benedict, Chief Justice of the Territory, be requested, through a committee composed of three members, to visit this House for the purpose of administering the oath to the members and officers of this House.”

Which resolution was adopted.

The chair appointed Messrs. Miguel E. Pino, Pablo Gallegos, and Juan A. Roival on said committee.

The said committee, after a short absence, returned, and reported that they had complied with the duty assigned them, and that the Hon. Chief Justice was present to comply with the request of the House.

Whereupon, he administered the oath to all the members present.

On motion of Mr. Salazar, the rules of the last session of the House of Representatives of the Territory of New Mexico, were adopted for the government of the present session.

On motion of Mr. Miguel E. Pino, the House then proceeded to the election of its officers.

Whereupon, Mr. Pino nominated Mr. José M. Gallegos as a candidate for Speaker for the present session.

Mr. Wheaton nominated M. Antonio José Otero as a candidate for the same office.

The roll being called, those who voted for Mr. Gallegos were Messrs. Baca, Pablo Gallegos of Rio Arriba, Garcia of Bernalillo, Garcia of Socorro, Keithly, Lovato, Martinez, Mondragon, Pino, Rael, Roival, Sanchez de Santa Ana, Valdez, and Whitlock—14.

Those who voted for Mr. Otero were Messrs. Chavez, Mes-tas, Sanchez of Taos, Salazar, Trujillo, and Wheaton.

So Mr. José Manuel Gallegos was declared duly elected Speaker, and entered immediately upon the discharge of his duties as such, having previously taken the necessary oath.

Mr. Baca then proposed Mr. Facundo Pino as a candidate for the office of Chief Clerk, during the session.

Mr. Sanchez nominated Mr. John H. Mink for the same

office, and Mr. Wheaton then nominated Mr. Charles B. Magruder as a candidate for said office.

The roll being called, Mr. Facundo Pino received thirteen votes, Mr. Mink 1, and Mr. Magruder 2.

Mr. Pino having received a majority, was declared duly elected Chief Clerk for the session.

Mr. Pino then nominated Mr. José Doroteo Sena as a candidate for Assistant Clerk.

Mr. Wheaton nominated Mr. C. B. Magruder for the same office.

The roll being called, Mr. Sena received fifteen votes, and Mr. Magruder received six votes.

Whereupon, Mr. Sena was declared duly elected Assistant Clerk during the present session.

Mr. Garcia of Socorro nominated Mr. José de la Luz Gallegos as a candidate for the office of Engrossing Clerk.

Mr. Salazar nominated Mr. Candelario Sisneros for the same office.

The roll being called, Mr. Gallegos received fourteen votes, and Mr. Sisnero received eight votes.

Whereupon, Mr. José de la Luz Gallegos was declared duly elected Engrossing Clerk.

Mr. Pino nominated Mr. Patricio Baca as a candidate for the office of Enrolling Clerk.

Mr. Sanchez of Taos nominated Mr. Lorenzo Martin for the same office.

The roll being called, Mr. Baca received sixteen votes, and Mr. Martin received six votes.

Whereupon, Mr. Patricio Baca was declared duly elected Enrolling Clerk.

Mr. Garcia of Socorro nominated Mr. Manuel Gonzales as a candidate for the office of sergeant-at-arms.

Mr. Salazar nominated Mr. Pablo Madrid for the same office.

The roll being called, Mr. Gonzales received sixteen votes; and Mr. Pablo Madrid received six votes.

Whereupon, Mr. Manuel Gonzales was declared duly elected sergeant-at-arms.

Mr. Pino nominated Mr. Candelario Lovato as a candidate for the office of door-keeper.

Mr. Salazar nominated Mr. Diego de Herrera for the same office.

The roll being called, Mr. Lovato received sixteen votes, and Mr. Herrera received six votes.

Whereupon, Mr. Lovato was declared duly elected door-keeper.

Mr. Pino nominated Mr. Inocencio Martinez as a candidate for the office of Interpreter.

Mr. Wheaton nominated Mr. Luis Leroux for the same office.

The roll being called, Mr. Inocencio Martinez received sixteen votes, and Mr. Luis Leroux six votes.

Whereupon, Mr. Inocencio Martinez was declared duly elected Interpreter.

On motion of Mr. Garcia of Socorro, Mr. Speaker tendered the thanks of the House to the Hon. Chief Justice for administering the oath to the members and officers of this body.

On motion of Mr. Garcia of Socorro, a committee of three was appointed to examine the credentials of the members now present, which committee was composed of Messrs. Garcia of Socorro, Pino and Keithly; when,

On motion of Mr. Jaramillo, the House adjourned until to-morrow at 10 o'clock A. M.

TUESDAY, DECEMBER 4, 1860.

The House met pursuant to adjournment, and, there being a majority present, proceeded to business.

The journal of yesterday was read.

Whereupon, Mr. Salazar moved the journal be laid on the table until to-morrow. Not agreed to.

Mr. Garcia of Socorro moved the journal of yesterday be approved as made up, and the question being put, "shall the journal be approved?" Mr. Salazar called for the yeas and nays.

Those who voted in the affirmative were Messrs. Baca, Gallegos, Garcia of Bernalillo, Garcia of Socorro, Jaramillo, Lovato, Martinez, Mondragon, Pino, Sanchez of Santa Ana, Valdez, Whitlock, Wheaton, and Mr. Speaker—14 votes.

Those who voted in the negative were Messrs. Chavez, Keithly, Mestas, Rael, Roival, Sanchez of Taos, Salazar, and Trujillo—8 votes.

So the journal of yesterday was approved by a vote of 14 to 8.

Mr. Keithly moved to take up the business on the Speaker's table, which motion was adopted.

A communication from the Council, informing this House that that body was organized, was read, and had elected the

Hon. José Guadalupe, President; Mr. R. H. Tompkins, Chief Clerk; Nicolas Quintana, Assistant Clerk; Mr. Manuel Baca, Engrossing Clerk; Mr. Francisco Sena, Enrolling Clerk; Mr. Jesus Ma. Bazan, sergeant-at-arms; Mr. Antonio Jesus Romero, door-keeper; and Mr. Jesus Ma. Sena y Baca, Interpreter.

A resolution was received from the Council, informing this House that the Council had appointed a committee of three to join with a similar one from this House, to wait upon His Excellency and inform him that both Houses are organized, and ready to receive any message or communication he may be pleased to make.

Mr. Salazar moved that the communication and resolution from the Council be received, and that a committee be appointed to join that of the Council, to wait upon His Excellency the Governor, and inform him of the organization of the Assembly; which motion was adopted.

Whereupon, Mr. Speaker appointed Messrs. Garcia of Socorro, Wheaton, and Jaramillo, on said committee.

Mr. Loyato offered the following resolution, which was adopted:

“Resolved, That the Chief Clerk of this House be required to inform the Legislative Council, His Excellency the Governor, and the Secretary of the Territory, of the organization of this House, and also furnish them with a list of the officers thereof.”

When, on motion of Mr. Salazar, the House adjourned until to-morrow at 10 o'clock A. M.

WEDNESDAY, DECEMBER 5, 1860.

The House met pursuant to adjournment.

There being a majority present, the House proceeded to business.

The journal of yesterday was read and approved.

Mr. Wheaton moved that the vote taken on the approval of the journal of yesterday be reconsidered, and the ayes and noes being called, it was decided in the negative.

Those who voted in the affirmative were Messrs. Chavez, Mestas, Rael, Roival, Sanchez of Taos, Salazar, Trujillo, and Wheaton—8 votes.

Those who voted in the negative were Messrs. Baca, Gallegos, Garcia of Bernalillo, Garcia of Socorro, Jaramillo,

Keithly, Lovato, Martinez, Mondragon, Pino, Sanchez of Santa Ana, Valdez, Whitlock, and Mr. Speaker—14 votes.

Mr. Lovato then offered a Joint Resolution, requesting His Excellency the Governor to require the several Judges of Probate to make out a complete and full report of all the depredations committed by the hostile Indians in their respective counties, and transmit the same as soon as practicable to the Assembly for their information."

Which said resolution was read the first, second and third time, and passed, and sent to the Legislative Council for its concurrence therein.

Mr. Garcia of Socorro, then offered the following resolution :

"Resolved, That the Chief Clerk of this House be required to request the Hon. Secretary of the Territory to furnish each member of this House with one copy of the Revised Code, as also of all other laws of the Territory."

Which resolution was adopted.

The committee appointed to examine the credentials of the members of this House, reported that they had examined the same and found them correct and in due legal form, and recommend the approval thereof; which report was adopted.

The committee appointed to wait upon His Excellency the Governor and inform him that both Houses were organized and ready to receive any communication he might deem proper to make them, reported that they had complied with the duty assigned them, and that His Excellency expressed himself gratified to know that the Assembly had organized, and that he would deliver his message on to-morrow, at 11 o'clock A. M., to the Assembly, in joint session; which report was adopted.

Whereupon, on motion of Mr. Baca of Socorro, the House adjourned until to-morrow at 10 o'clock A. M.

THURSDAY, DECEMBER 6, 1860.

The House met pursuant to adjournment, and, there being a quorum present, the House proceeded to business.

The journal of yesterday was then read and approved.

Mr. Garcia of Socorro then offered the following resolution, which was adopted :

"Resolved, That the Hon. Council is hereby invited to assemble in this House, at eleven o'clock A. M., for the purpose

of receiving the annual message of His Excellency the Governor."

Whereupon, the Chief Clerk of this House was instructed to inform the Hon. Council of the adoption of said resolution.

A message was received from the Hon. Council notifying this House that that body would join this House in joint session at 11 o'clock to-day, for the purpose of receiving in joint session His Excellency the Governor's Message.

In pursuance with the invitation extended to the Hon. Council, both Houses met in joint session, at the hour appointed.

The two Houses being in joint session, Mr. Keithly moved that a committee composed of two members from this House and one from the Council be appointed for the purpose of waiting upon His Excellency the Governor and informing him that both Houses were assembled in joint session for the purpose of receiving his annual message; which motion was adopted, and the chair appointed on said committee Messrs. Keithly and Garcia of Socorro, of the House, and Mr. Ashurst of the Council.

The committee retired and after a short absence returned and reported that they had discharged the duty assigned them, and had the honor to accompany His Excellency the Governor, who was present, and ready to deliver his annual message to the Assembly in joint session.

His Excellency, Governor A. Rencher, being received, then delivered his Annual Message.

M E S S A G E .

Gentlemen of the Council and House of Representatives :

Custom as well as law has made it my duty to present to you annually a Message in person. To discharge this duty I appear before you to-day, and offer for your consideration a few of the most important subjects which require legislation. In a brief discourse such as I propose, it will be impossible for me to discuss the great questions of public interest which may and should engage your attention; and I am certain that it is not necessary for me to attempt it. Seeing that you have come from all parts of the Territory and therefore intimately acquainted with all its wants, I trust that you will supply any omissions on my part. It would be equally unnecessary to repeat what I have before said on the subject

of internal improvements, or that of public schools. The development of the resources, physical and intellectual, of a country, is the first and most important duty of a statesman; and it is especially so in a country like our own. We live in a progressive age, and the more we procrastinate and delay the work of improvement, the greater and more humiliating will be the distance between us and other States and Territories whose systems of internal improvements and public schools, under the fostering care of legislative protection, are constantly and rapidly advancing. However small and insignificant the beginning of a good work, yet the greatest and most profitable enterprises have resulted from the smallest beginnings.

Near the close of the last session of the Legislature there were several enactments presented for my signature which I could not approve, and which therefore failed to become laws. Among them was "An Act authorizing the Governor to appoint a Police for the City of Santa Fé." If this had become a law, it would have caused an increased expenditure, which the county would have had to pay instead of the City of Santa Fé. In my last annual message I called the attention of the Legislature to the hypothecated funds of the County of Santa Fé, and of the default or inability of the county to pay its bonds; and had said act become a law, the county would have been still more embarrassed and less able to pay its debts. The immediate Representatives of the county therefore opposed the measure, as well as the county authorities; and, considering the subject solely one of local interest, I was unwilling to force upon the County of Santa Fé, against the will of her Representatives, a burden she was unable to bear, and from which the other counties of the Territory were exempt. It affords me pleasure to state that subsequent experience has demonstrated that no urgent necessity existed for any such police; and that the County of Santa Fé, by judicious management of its means, is being rapidly disembarrassed of its public debt.

Another act of the Legislative Assembly which I could not approve was "An Act making the Law for the protection of Slave property in this Territory applicable to Indians (male and female) acquired from the savage tribes." The act, apparently, is founded on the supposition, that the Indians acquired from the savage tribes were slaves; which is not the case; neither is it in the power of the Legislature to make them such. The Legislature can neither create nor abolish slavery; it may only regulate it where it already exists, the same as any other species of property. If, then, any Indian

were found in a state of slavery, under the laws of Mexico, at the cession of this Territory to the United States, then the law above referred to could be applied to such property. The normal or native condition of our Indian tribes is that of freedom, and by our laws they can not be made slaves either by conquest or purchase. We may hold them as captives or *peones*, but not as slaves. When the Territory shall become a sovereign State, it may exercise a jurisdiction over this subject which a Territorial Legislature could not claim.

Another act, passed at the close of the session, which I could not approve, was "An Act repealing the mode of selecting and paying Grand and Petit Jurors." The law proposed to be repealed was enacted two years ago, and received my sanction; and I was afterwards satisfactorily convinced that the law was a good one. Wherever the right of trial by jury exists, it is of the last importance to have a good jury; and it would be out of reason to oblige our fellow-citizens to submit to the vexation and expense to which jurors are subject, without some small recompense. I could not, therefore, sanction the repeal of the law. If I had done so, we would have presented the strange inconsistency of refusing compensation to jurors serving in the District Courts while paying those in the Courts of Probate; for the same Legislature passed "An Act providing for the compensation of jurors in County Courts." As it is now, the jurors of both courts are equally paid, and, in my opinion, very justly. I recommended that each county should pay its own jurors; but the Legislature was of different opinion, and I felt it my duty to acquiesce in their judgment—as I always do in subjects of minor importance.

I have thus submitted to you my reasons for not having concurred with the last Legislature in some of its enactments, not because there was a law requiring it of me, but from a sincere desire to satisfy you that I have not done so without well-founded objections.

I herewith submit the Report of the Treasurer of the Territory and that of the Auditor of Public Accounts. It appears from these Reports that the total amount of warrants drawn on the Treasury during the last fiscal year ending November 15, 1860, was \$7,683; while the total amount of cash received during the same period was \$8,445; leaving an unexpended balance from receipts over expenditures, for the year, of \$762. The public debt at the beginning of the year amounted to \$4,438; deducting from this the unexpended balance from receipts, \$762, there still remains a balance of \$3,673. According to said Reports, this is the

sum total of the public debt. But the Auditor states that some of the counties have not yet rendered complete returns; if they had done so, I should have had the satisfaction of announcing to the Legislature that the Territory was entirely free from debt.

Two years since, there was a law enacted for the revision of the laws of the Territory, and I was directed to appoint commissioners for that purpose; but as the cost for the same had to be paid out of the Legislative fund, and would have been very considerable if the work were executed as it should be, I deemed it best to inquire of the Comptroller General whether such expense would be authorized to be paid out of said fund. In a letter to the Secretary of the Treasury, the Comptroller replied that he would not authorize such payment out of said fund without a resolution from Congress to that effect, which, he thought, could readily be obtained on application to Congress. I submitted the subject, with the correspondence relating thereto, to the consideration of the last Legislature. A prominent member of the Council addressed a letter to our Delegate in Congress requesting him to procure the passage by that body of the requisite resolution; but he has informed me that, for some cause, no answer has been received; neither do I find such a resolution among the subjects of legislation which (as stated in a recent discourse by him) have engaged the attention of the delegate during the last session of Congress. Profoundly convinced of the great importance of the work in question, I again invite your earnest attention to the subject.

The new Capitol and Penitentiary still remain exposed to the deteriorating influences of the climate, as well as from other causes. An appropriation of sixty thousand dollars was made at the last session of Congress to complete the new Capitol; but the appropriation was hampered with so many conditions, that it is doubtful whether the Secretary of the Treasury will expend the money. He is prohibited from doing so, unless he is entirely satisfied that the edifice can be completed with that sum. He has therefore applied to me for the most detailed information in order to be able to decide, but he has not yet made known to me his determination. The Penitentiary, to all appearances, has been abandoned, under the supposition that nothing had been done for its completion; neither have we received any appropriation for the improvement of our roads.

Our relations with the Indian tribes remain nearly the same as at the time of your last adjournment. There was then an incipient war with the Navajoes, but it was suspended

until spring. At the opening of spring, the time fixed for the resumption of hostilities, the greater part of the troops were removed to another field of operations. Towards the end of summer, on the arrival of a large reinforcement from Utah and other places, the military commandant of this Department was ordered by the Secretary of War to make a vigorous campaign against these audacious predatory hordes. This duty was assigned to Col. Canby, and was executed by him, as I am informed, with a vigor and success as honorable to himself as to the valiant troops under his command. But the triumph was not achieved without sustaining a most lamentable loss and which will ever be deplored. In the crown of laurel which encircles the brow of Victory, we always see entwined the cypress branch. The valiant and lamented George McLane, distinguished as much by his bravery as by his manly virtues, fell in battle from a shot fired by an Indian brave, and thus yielded his life a sacrifice to his country. In his loss, the service will have to deplore one of its most heroic and gallant officers, and the people of this Territory that of a faithful friend, who was always foremost in their defence, and ever ready to imperil his life when that of others was in danger.

Sweetly the hero sleeps, who lays him down to rest,
By all the good, and by his grateful country, blest.

But the war, although progressing favorably, has not yet been terminated, and probably will not during the present winter. On account of its abandonment last spring, and the subsequent inactivity on the part of our troops, our audacious and savage foes were greatly emboldened. They attributed the delay on our part to incapacity and fear, and thus became more audacious and destructive than ever, and the inhabitants have suffered greatly from their frequent and cruel depredations. These roving thieves have even dared to approach the walls of our largest towns, and have driven off the herds and flocks within sight of the inhabitants. If, during the delay and inactivity on the part of the military commandant, I had possessed the necessary power and means for organizing a sufficient force to chastise these savage depredators, it would have been attempted at all hazards; and I would have confidently awaited the prompt action of Congress to reimburse the Territory for the expense thereby incurred. But the Governor of this Territory has neither the power nor the means to organize and equip an army for such purpose; he has not a man nor a single dollar at his disposal, nor is he invested with power to raise them. The only

law concerning the employment of volunteers is that of 1855, which authorizes the Governor to call out volunteers *to assist* in protecting the Territory, and to chastise the Indians, and which Governor Meriwether (who approved the law) said was only intended to authorize the Governor to call out the militia under a requisition from the military commandant. This is the only mode in which they can be called into the *service of the United States*; and when thus called out, they are surely paid, and without delay.

I have been ready at all times to muster volunteers under such a requisition. But to suppose that the Governor can, of himself, and under the laws of the Territory, muster the militia forces into the service of the United States, is a proposition too absurd for argument. He can call them into the *service of the Territory*; and if Congress deemed that such service was necessary and proper, it would not withhold just compensation; or, if previously paid by the Territory, then Congress would make indemnity for the amount—perhaps much sooner than if application had been first made. Such was the course pursued towards the militia ordered out by Prov. Gov. Messervy. They were not called into the service of the United States, as has been erroneously said, nor paid as being in such service. They were called out to suppress an insurrection, or invasion, by the Indians, at a time when the military force of the Territory was comparatively small, and during the absence of the commandant, and when his opinion could not be had. Gov. Messervy stated that he could not have called out the militia, if the military commandant had been present and declined giving his assent. In my opinion, the call was both necessary and proper, and Gov. Meriwether, in a letter to the Secretary of War recommending indemnification, expressed the same opinion; and yet it was with great difficulty that the militia were induced to heed the call, and still more difficult to induce Congress to pay them. It was not until after five years of anxious doubts that Congress compensated their services, and not until the greatest part of the claims of those who had rendered service had passed into the hands of the few who reaped the profit of it.

It was for these reasons that, when requested by a Convention held in this city to call out a regiment of mounted volunteers for the *service of the United States*, I refused, knowing that I was not empowered to do so. Neither did I believe it prudent to muster them into the service of the Territory; for I did not believe that Congress would, under the circumstances, pay for their services. Large reinforce-

ments of troops had just arrived from Yutah and other points, and the military commandant had given public assurance that they would be employed in defending the Territory and in chastising the Navajoes. He had forty companies at his disposal—more than sufficient, in his opinion, for that purpose—and he could not therefore accept even four companies of mounted volunteers which were offered him. Although I did not believe that mounted troops were necessary at that time, yet, being desirous of making my action conform as much as possible to the expressed desires of those who had severely suffered from the merciless savages, I said to the Convention that if they still wished for a regiment of mounted volunteers, and were prepared to furnish the requisite subsistence for the camp, and would run the risk of being reimbursed by Congress, I would assume the responsibility of organizing it under the laws of the Territory, in order to insure the campaign a more successful termination. This offer was rejected by the Convention, which preferred that the regiment should be without legal organization or legal control. But even then it was my earnest wish that the expedition, if undertaken, should be crowned with success, and agreed to furnish the requisite arms; not that I believed in the necessity for the expedition, much less in its illegal character, but because I desired its success; and I did not wish to give any one occasion to say, if misfortune had resulted from the lack of any needful provision, (which, I fear, has happened,) that I was to blame, inasmuch as I had refused to furnish the expedition with the necessary arms and equipments.

The law which *authorizes* the Governor to call out the militia *to repel invasions*, even if he had the means to support them when mustered into service, is perfectly useless as regards the pillaging incursions of the Navajo Indians. In most cases, before notice could reach the capital, these depredators would have escaped with the spoils to their lurking places in the mountains, where it would be hopeless to follow them. The Legislature has therefore enacted a law which not only *authorizes* but *requires* the militia officers of each district to call on the militia to repel such invasions. Being near at hand, they can most always do this most effectually. The only assistance, then, which I could render the people in this emergency, was to organize and arm bodies of independent volunteers for the protection of their families and property against these desolating incursions; and I gratefully acknowledge that many of these volunteers, while employed in this service, have earned well-deserved praise. Not only

have they protected their own and their neighbors' houses, but have made many gallant and successful forays into the enemy's country, destroying the savage invaders and recovering stolen property. So many of these bodies have been organized and armed, that but few public arms remain for distribution. They are now where they ought to be, in the hands of the people. I would therefore recommend the appointment of an Adjutant General for the Territory, with a suitable salary, whose duty it shall be to see that proper care be taken of the public arms, and the militia forces disciplined and drilled at least two days in the year. This would greatly improve the military spirit of the people, and would make them much more effective when called into active service.

I have treated the subject of our relations with the Indians at considerable length. From an anxious desire to satisfy the Legislature, that, as your Governor, I have done all that the existing laws empower me to do, and all that lay in my power to do, unassisted as I was, and my endeavors frequently opposed by the military commandant; who alone has been invested with power and supplied with means to give effectual protection to the Territory and to punish the tribes of savages. But should the Legislature be of the opinion that the Territory ought to assume the grave responsibility, it ought to authorize the Governor to call out volunteers for that end, and provide the means for equipping and sustaining them in the service. Doubtless this has not hitherto been done on account of the entire confidence reposed in the Federal Government to give us that protection which it is bound to afford, and to give it, sends here, at immense cost, large and powerful forces.

I have thus submitted to you, gentlemen, my fourth, and perhaps my last, Annual Message. Permit me, then, to say in conclusion, that, as your Governor, I have endeavored at all times to discharge my whole duty to the Territory, and, as far as in me lay, to do it without giving offence to anybody. If I have not done all that, in your opinion, I could and ought to have done, it is owing more to a want of ability than to a sincere desire to promote your well-being; and in retiring from this high station, I would desire (and this would not be an evil desire for the Territory) that my successor may resemble me in his desire to serve you—but with greater ability, that he may do it with greater effect.

His Excellency the Governor, having finished his Message, retired.

Mr. Cabeza de Baca then moved that the joint session rise,

and that the Hon. Council retire to their chamber; which motion was adopted.

Whereupon, the Hon. Council retired.

Mr. Lovato then offered the following resolution, which was adopted:

“Resolved, That this House, on some day to be designated by the Chair for the purpose, resolve itself into Committee of the Whole, for the purpose of inquiring into and investigating the result of the campaign made against the Navajo tribe by the mounted volunteers, and what has been the conduct of its officers.”

Mr. Garcia of Socorro then moved that the House do now adjourn until to-morrow, at 10 o'clock A. M. Agreed to.

FRIDAY, DECEMBER 7, 1860.

The House met pursuant to adjournment, and, there being a quorum present, the House proceeded to business.

The journal of yesterday was read and approved.

Mr. Garcia of Socorro introduced a joint resolution relative to a joint session of both Houses to-day, at three o'clock P. M., in the Representative Hall, for the purpose of electing a Public Printer; which was read the first time.

Mr. Garcia of Socorro then offered the following resolution:

“Resolved, That, with the consent of the Council, both Houses will meet in joint session in the Hall of Representatives, at three o'clock in the afternoon, for the purpose of electing a Public Printer, in accordance with the law authorizing such election; and that the Council be notified of the passage of this resolution by the Chief Clerk of this House, remitting to that body a copy of this resolution.”

Which resolution was laid on the table for one day.

Mr. Garcia of Socorro moved to take up the business on the Speaker's table, which motion was adopted.

A Joint Resolution, passed by the Legislative Assembly, relative to the printing of the Governor's Message was then taken up and read the first time.

Mr. Keithly then moved the rules be suspended, and that the said resolution be read the second time; which motion was adopted, and the said resolution read a second time.

Mr. Lovato then introduced a "Joint Resolution requesting the Secretary of the Territory to furnish each member of the Legislative Assembly with a copy of all laws passed by the last session of the General Congress relative to this Territory."

Which resolution was read three times and passed.

Mr. Garcia of Socorro moved that the House do now adjourn until Monday, the tenth inst., at 10 o'clock A. M.

MONDAY, DECEMBER 10, 1860.

The House met pursuant to adjournment, and, there being a quorum present, the House proceeded to business.

The journal of Friday last was read and approved.

The Chair then announced the following Standing Committees:

On Judiciary—Messrs. Wheaton, Pino, and Valdez.

On Territorial Affairs—Messrs. Pablo Gallegos, Lovato, and Wheaton.

On Public Printing—Messrs. Keithly, Salazar, and Martinez.

On Public Buildings—Messrs. Trujillo, Chavez, and Mestas.

On Indian Affairs—Messrs. Candelario Garcia, Mondragon, and José Antonio Garcia.

On Counties—Messrs. Lovato, Roival, and Pino.

On Internal Improvements—Messrs. Salazar, Pablo Gallegos, and E. Sanchez.

On Roads and Ditches—Messrs. Jaramillo, F. Sanchez, and Martinez.

On Public Property—Messrs. Wheaton, Rael, and Valdez.

On Militia—Messrs. Baca, Salazar, and E. Sanchez.

On Public Library—Messrs. Martinez, Roival, and Mestas.

On Education—Messrs. Wheaton, Jaramillo, and Mondragon.

On Agriculture—Messrs. C. Garcia, Baca, and F. Sanchez.

On Revenue—Messrs. Keithly, Lovato, and Chavez.

On Mines and Public Lands—Messrs. P. Gallegos, Wheaton, and Jaramillo.

On Privileges and Elections—Messrs. Pino, Trujillo, and Valdez.

On Engrossed Bills—Messrs. Jaramillo, Keithly, and Kavanaugh.

On Enrolled Bills—Messrs. Kavanaugh, Otero, and Roival.

Mr. Lovato offered a "Joint Resolution providing for the appointment of a joint committee to present Bills, Joint Resolutions, Memorials, &c., &c., passed by the Assembly, to His Excellency for his approval."

Which resolution was read three times and passed.

A Joint Resolution, which originated in the Legislative Council, relative to "having the Governor's Message printed," was read the second time.

Whereupon, on motion of Mr. Salazar, said resolution was referred to a Committee composed of one member from each county; which committee was composed of Messrs. Salazar, Sanchez of Taos, Mestas, Keithly, Pino, Sanchez of Santa Ana, Garcia of Bernalillo, and Baca.

On motion of Mr. Garcia of Socorro, the business on the Speaker's table was taken up.

A House Joint Resolution "requesting His Excellency the Governor to require the several Probate Judges to make a complete report of all Indian depredations committed in their respective counties, and forward the same to the Legislative Assembly," was concurred in by the Legislative Council.

On motion of Mr. Baca, the House adjourned until to-morrow, at 10 o'clock A. M.

TUESDAY, DECEMBER 11, 1860.

The House met pursuant to adjournment, and the journal of yesterday was read and approved.

The Special Committee, to which was referred a Joint Resolution from the Council relative "to the printing of His Excellency the Governor's Message," through their chairman, Mr. Salazar, reported that they had had the same under consideration, and recommend the passage of the following resolution:

"Resolved by the House of Representatives of the Territory of New Mexico, That the Hon. Legislative Council is respectfully invited to meet the House in the Representative Hall, Thursday, the 13th inst., at eleven o'clock in the forenoon, in order that the two Houses, in joint session, may take under consideration the fourth Annual Message of His Excellency Governor A. Rencher."

Which resolution was adopted by a vote of 16 to 6. So the said resolution was adopted as presented by the committee.

Mr. Whitlock then offered a Joint Resolution "relative to the printing of His Excellency the Governor's Message;" which was read the first time, and, on motion of Mr. Garcia of Socorro, the rules were suspended, and the said Joint Resolution read a second time.

Mr. Wheaton moved to amend said resolution, by striking out "one thousand five hundred," and inserting instead thereof "two hundred in English and three hundred in Spanish;" which amendment was rejected.

Mr. Pino then offered the following amendment to the said Joint Resolution:

"Be it further Resolved, That the fifteen hundred copies shall not be printed until His Excellency the Governor's Message shall be acted upon by both Houses in joint session."

Which amendment was adopted by a vote of 18 to 4.

Whereupon, on motion of Mr. Garcia of Socorro, the said resolution was referred, as amended, to a special committee, composed of Messrs. Garcia of Socorro, Keithly, and Jaramillo.

Mr. Pino introduced an Act entitled "An Act to incorporate the Abiquiú, Pagosa and Baker City Railroad Company;" which was read the first and second time, the rules being suspended for the purpose, and, on motion of Mr. Garcia of Socorro, was referred to a committee composed of Messrs. Garcia of Socorro, Jaramillo, Pino, Whitlock, and Salazar.

Mr. Pino introduced a bill to be entitled "An Act authorizing the establishment of Montes de Piedad," which was read the first time, and laid on the table one day under the rules.

On motion of Mr. Salazar, the House adjourned until Thursday, the 13th inst., at 10 o'clock A. M.

THURSDAY, DECEMBER 13, 1860.

The House met pursuant to adjournment, and, there being a quorum present, the House proceeded to business; whereupon the journal of Tuesday last was read and approved.

Mr. Martinez presented a petition, together with other documents from Mr. Felix Borrego, contesting the seat of Mr. Felipe Sanchez, now occupying his seat as Representative from the County of Taos; which was laid on the table for one day under the rules.

The special committee to which was referred a bill entitled "An Act to incorporate the Abiquiú, Pagosa and Baker City Road Company," through their chairman, Mr. Garcia of Socorro, reported that they had had the same under consideration, and finding it just and necessary, recommended the passage thereof; which report was adopted.

Whereupon, on motion of Mr. Garcia of Socorro, the said bill was read the third time and passed.

Mr. Pino introduced a Bill entitled "An Act reforming the Territorial and County Revenue Law," which was read the first time, and laid on the table one day under the rules.

Mr. Lovato introduced a Bill entitled "An Act providing for the Execution of the Laws in force," which was read the first time, and laid on the table one day under the rules.

"An Act authorizing the establishment of Montes de Piedad," was then read the second time; when,

On motion of Garcia of Socorro, said bill was referred to the Standing Committee on Territorial Affairs.

On motion of Mr. Lovato, the House then proceeded to take up the business on the Speaker's table, when a communication from the Prefect of Doña Ana, informing the Legislative Assembly of the depredations committed in that county by the hostile Indians, was read; which was referred to the Standing Committee on Indian Affairs.

A communication from the Hon. A. M. Jackson, Secretary of the Territory, was then read, advising this House that he had transmitted for the use of this body, six copies of the Revised Code, and that he regretted that it was not in his power to furnish each member with a copy, as he had been required by a resolution passed by this House, for the reason that he did not have them in his office.

A House Bill, entitled "An Act incorporating the Abiquiú, Pagosa and Baker City Road Company," was concurred in by the Legislative Council.

The Committee on Enrolled Bills reported that they found correctly enrolled a Joint Resolution, passed by both Houses, relative to "requesting His Excellency the Governor to require the several Judges of Probate to make a complete report of all depredations committed by the hostile Indians in their respective counties."

Which report was adopted.

On motion of Mr. Garcia of Socorro, the House adjourned until the following day, at 10 o'clock A. M.

FRIDAY, DECEMBER 14, 1860.

The House met pursuant to adjournment, and, there being a quorum present, the journal of yesterday was read and approved.

The petition of Mr. Felix Borrego, addressed to this House, contesting the seat of Felipe Sanchez, as Representative from the county of Taos," was then taken up.

Mr. Salazar moved that said petition be rejected; not agreed to.

Mr. Martinez then offered the following resolution :

"Resolved, That the petition of Mr. Felix Borrego, together with the accompanying documents, be referred to the Standing Committee on Privileges and Elections, with instructions that said committee take every step necessary in the matter, in order to arrive at the facts of the case, that may seem proper, with power to the committee to summons such witnesses as they may believe to be necessary for the investigation of the truth of the case."

Mr. Salazar offered to amend said resolution as follows :

"Provided, further, That said committee is required to report by the 15th day of January, 1861 ;"

Which amendment was rejected.

Mr. Garcia of Socorro then offered the following amendment to said resolution :

"Be it further resolved, That said committee shall report by the tenth day of January, 1861."

Which amendment was rejected.

Mr. Wheaton then offered the following amendment to said resolution :

"And that the said summonses be signed by the Speaker of the House, and that the said committee be instructed to give time and opportunity to the person whose seat is contested the right to summons such witnesses and to present such papers as he may deem proper in his defence; and that he shall be informed of the time and place the committee will investigate the matter."

Which amendment was rejected.

A message was then received from His Excellency the Governor, which remained on the Speaker's table.

A message was also received from the honorable Council, which remained on the Speaker's table.

Whereupon, on motion of Mr. Whitlock, the House then adjourned until to-morrow at 10 o'clock A. M.

SATURDAY, DECEMBER 15, 1860.

The House met pursuant to adjournment, and, there being a quorum present, the House proceeded to business.

The journal of yesterday was read and approved.

Mr. Jaramillo, from the Committee on Enrolled Bills, reported that the committee had examined a Bill entitled "An Act incorporating the Baker City and Pagosa Road Company," and found the said bill correctly enrolled."

Which report was adopted.

Mr. Lovato then introduced the following resolution :

"Resolved, That a committee composed of three members of this House be appointed by the Speaker, to present to His Excellency the Governor Enrolled Bills and Joint Resolutions that have passed, for his approval."

Mr. Pino then offered the following resolution as a substitute for that offered by Mr. Lovato :

"Resolved, That the Speaker appoint a Standing Committee of this House, whose duty it shall be to present to the presiding officer of both Houses for their signature, all Bills, Joint Resolutions and Memorials that may originate in this House, and that may have passed both Houses ; and on their being signed by said officers, to present the same to His Excellency the Governor, for his approval."

Which resolution was adopted.

Whereupon, the Speaker appointed on said committee Messrs. Pino, Wheaton, and Gallegos.

Mr. Garcia of Socorro moved that the Chief Clerk of this House advise the Legislative Council of the passage of the above resolution, and also of the members of said committee ; agreed to.

Mr. Wheaton announced to the House that F. E. Kavanaugh, Representative for the County of Santa Fé, was present, and ready to present his credentials as such.

Whereupon Mr. F. E. Kavanaugh appeared and presented

his credentials as Representative for the county of Santa Fé, which, being read to the House,

Mr. Garcia of Socorro moved a committee be appointed to wait upon the Hon. Kirby Benedict, Chief Justice, and invite him to administer the oath to the Hon. F. E. Kavanaugh.

Which motion was adopted.

Whereupon, Messrs. Garcia of Socorro, Chavcz, and Gallegos, were appointed on said committee.

The said committee retired, and after a short absence returned and reported that they had discharged the duty assigned them, and that the Hon. Chief Justice was present.

Whereupon the oath was administered to the Hon. F. E. Kavanaugh, who took his seat as a member of this House.

The Speaker then tendered the thanks of the House to the Hon. Chief Justice for his courteous attention to the request of this House.

On motion of Mr. Pino, the business on the Speaker's table was then taken up.

A communication from His Excellency the Governor, relative to the election of Mr. Francisco Chavez y Perea, as Representative from the County of Valencia," was then read and laid on the table one day under the rules.

Communications were received from the Prefects of the Counties of Taos and Rio Arriba, informing the Legislative Assembly of the Indian depredations committed in their respective counties, which were referred to the Standing Committee on Indian Affairs.

Mr. Pino then offered the following resolution:

"Resolved, That whereas Mr. José Francisco Chavez y Perez was duly elected for the county of Valencia, at an election held in said county, on the first Monday of the present year, a Representative of this House; therefore the said Chavez y Perea is hereby declared and recognized as a member of this House from said county, and therefore the Speaker of this House is required to appoint a committee composed of three members, whose duty it shall be to inform Mr. Chavez y Perea immediately of the passage of this resolution."

Mr. Wheaton moved that said resolution be laid on the table for one day, and the yeas and nays being called, it was decided in the affirmative—yeas 12, nays 10.

Those who voted in the affirmative were Messrs. Chavez, Garcia of Socorro, Kavanaugh, Keithly, Lovato, Mestas, Rael, Roival, Sanchez of Taos, Trujillo, Wheaton, and Whitlock.

Those who voted in the negative were Messrs. Baca, Gallegos, Garcia of Bernalillo, Jaramillo, Martinez, Mondragon, Pino, Sanchez of Santa Ana, Valdez, and Mr. Speaker.

So the said resolution was laid on the table one day, under the rules.

On motion of Mr. Garcia of Socorro, the House then adjourned until Monday, the 17th instant, at 10 o'clock A. M.

MONDAY, DECEMBER 17, 1860.

The House met pursuant to adjournment, and there being a quorum present, the House proceeded to business.

The journal of Saturday last was then read and approved.

On motion of Mr. Chavez, the business on the Speaker's table was then taken up.

Whereupon the following resolution, which had been laid on the table, was then taken up.

“Whereas Mr. José Francisco Chavez y Perea was duly elected for the County of Valencia, at an election held in said county on the first Monday of September last, Representative to this House; therefore,

Resolved, That Mr. Chavez y Perea is hereby declared and recognized as a Representative of said county, and therefore the Speaker of this House is required to appoint a committee of three members of this House, whose duty it shall be to wait upon Mr. Chavez y Perea immediately, and inform him of the passage of this resolution.”

On motion of Mr. Kavanaugh, the said resolution was adopted, and the Speaker then appointed on said committee Messrs. Kavanaugh, Pino, and Garcia of Socorro, to notify Mr. Chavez y Perea of the passage of said resolution.

The committee retired, and after a short absence returned and reported that they had discharged the duty assigned them, and that Mr. Chavez y Perea was present in the House, and ready to take his seat as Representative from the county of Valencia.

Mr. Garcia of Socorro then moved that a committee be appointed for the purpose of waiting upon and inviting the Hon. Kirby Benedict, Chief Justice, to administer the oath of office to Mr. Chavez y Perea, which was agreed to.

Whereupon the Speaker then appointed on said committee Messrs. Garcia of Socorro, Keithly, and Baca.

The said committee retired, and after a short absence re-

turned and reported that they had complied with the duty assigned them, and that the Hon. Chief Justice was present and ready to comply with the request of the House.

Whereupon, the Hon. Chief Justice administered the oath of office to the said Chavez y Perea, as Representative from the county of Valencia to this House, who, being thus qualified, took his seat.

The Speaker then tendered the thanks of this House to the Hon. Chief Justice for his courteous attention to the request of this House.

Mr. Whitlock then offered the following resolution :

“Resolved, That a committee of three, composed of members of this House, for the purpose of investigating into the cause why the Independence Mail to Santa Fé does not arrive in due time, and to recommend such measures as in their judgment they may deem expedient to prevent in future so great an evil to the people of this Territory.”

Whereupon, the Speaker appointed on said committee Messrs. Whitlock, Lovato, and Chavez of Bernalillo.

Mr. Lovato then introduced a “Joint Resolution relative to the appointment of a Joint Committee, for the purpose of ascertaining the just pay due the Volunteers that recently made a campaign against the Navajo tribe.”

Which resolution was read the first time, and laid on the table one day under the rules.

Mr. Keithly then introduced a bill to be entitled “An Act punishing Jailors, Sheriffs and Constables, who shall permit Prisoners to escape from jail in their counties.” Which bill was read the first time, and laid on the table one day under the rules.

“A Bill entitled ‘An Act amendatory of the Revenue Law,’ ” was then read the second time, and referred to the Committee on Counties.

“A Bill entitled ‘An Act to prevent the disuse of Law now in force,’ ” was read the second time and referred to the Committee on Judiciary.

“A Bill entitled ‘An Act for the relief of Samuel Ellison,’ ” was then taken up and read the second time, and referred to a special committee, composed of Messrs. Whitlock, Garcia of Socorro, and Gallegos of Rio Arriba.

The following resolution, laid on the table the 14th inst., was then taken up :

“Resolved, That the petition of Mr. Felix Borrego, together with the accompanying documents, be referred to the Com-

mittee on Privileges and Elections, with instructions to said committee to take such steps as they may deem expedient, to ascertain the truth of said contest, with authority to summons witnesses, and to do all other things they may deem proper to ascertain the facts of the case."

Which resolution was adopted by a vote of 17 to 6.

Those who voted in the affirmative were Messrs. Baca, Chavez y Perea, Gallegos of Rio Arriba, Garcia of Bernalillo, Jaramillo, Kavanaugh, Keithly, Martinez, Mondragon, Pino, Roival, Sanchez of Santa Ana, Trujillo, Valdez, Whitlock, Wheaton, and Mr. Speaker.

Those who voted in the negative were Messrs. Chavez of Bernalillo, Garcia of Socorro, Lovato, Mestas, Rael, and Salazar.

Mr. Wheaton then moved the vote on the adoption of the said resolution be reconsidered, which motion was rejected.

When, on motion of Mr. Whitlock, the House then adjourned until to-morrow at 10 o'clock A. M.

TUESDAY, DECEMBER 18, 1860.

The House met pursuant to adjournment, and, there being a quorum present, the House proceeded to business.

The journal of yesterday was read and approved.

Mr. Lovato then introduced a Bill entitled "An Act relative to the Laws of 1858 and '59, and the codification of the Laws of this Territory;" which was then read the first time and laid on the table for one day under the rules.

Mr. Whitlock then introduced a Bill entitled "An Act concerning the Clerks of the Probate Courts;" which was read and laid on the table one day under the rules.

A Joint Resolution relative to the appointment of "A Joint Committee to ascertain the just amount of pay due the Volunteers who made a recent campaign against the Navajo tribe," was then taken up, and read the second and third time, by suspension of the rules, and passed.

A Bill entitled "An Act to punish Jailors, Sheriffs, and Constables, who shall permit Prisoners to escape from custody," was then read the second time, and referred to the Committee on Judiciary.

The Select Committee, to which was referred a Bill entitled "An Act for the relief of Samuel Ellison," through

their chairman, Mr. Whitlock, reported the same back to the House, and recommended its passage; which report was adopted.

When, on motion of Mr. Garcia of Socorro, the rules were suspended, the act read the third time, and passed.

Those having voted in the affirmative were Messrs. Baca, Chavez y Perea, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Garcia of Socorro, Jaramillo, Kavanaugh, Keithly, Lovato, Martinez, Mondragon, Mestas, Rael, Roival, Sanchez of Taos, Sanchez of Santa Ana, Trujillo, Valdez, Wheaton, Whitlock, and Mr. Speaker.

Messrs. Pino and Salazar voting in the negative.

On motion of Mr. Keithly, the House adjourned until tomorrow at 10 o'clock A. M.

WEDNESDAY, DECEMBER 19, 1860.

The House met pursuant to adjournment, and, there being a quorum present, the House proceeded to business.

The journal of yesterday was read and approved.

The Select Committee, to which was referred a Bill to be entitled "An Act for the punishment of Jailors, Sheriffs, Constables, and their deputies, in the Territory of New Mexico, who shall permit the escape of Prisoners in their charge," through their chairman, Mr. Wheaton, reported that they had had the same under consideration, and as there are now laws on the subject, that they believe the provisions of said act to be superfluous, and therefore recommend said bill be laid upon the table indefinitely; which report was adopted.

The Committee on Privileges and Elections made the following report:

"Mr. Speaker—The Standing Committee on Privileges and Elections, to which was referred a petition of Felix Borrego, together with accompanying documents, contesting the seat now occupied by Mr. Felipe Sanchez, as Representative from the County of Taos, have the honor to report to this House that they have had the subject under consideration, and from the testimony of Messrs. Santiago Valdez, Smith H. Simpson, and George H. Houck, it is clearly shown that seventy votes had been taken from Felix Borrego—fifty in the precinct in Fernandez de Taos, and twenty from the precinct of the Rancho—and on examination of the returns in the Secretary's office, which require no testimony, it may be

seen clearly that fraud has been committed by annulling in this mode, by the dash of a pen, the most sacred rights of the people.

“ Adding these seventy votes to the number now standing in favor of Mr. Felix Borrego, makes the number eight hundred and forty-two votes, whilst Mr. Sanchez, now in possession of the seat, received only eight hundred and thirteen votes—there remaining twenty-nine votes majority in favor of Mr. Borrego.

“ In view of this and to show to our authorities that they are only servants of the people and not their masters and lords, and do not possess the power to annul when they may not be pleased with the will of the people, who are the true sovereigns, and that any attempt against their power is the highest crime, and one that does not merit pardon: Therefore, your committee submit for your consideration the following resolutions :

“ Be it Resolved by the House of Representatives of the Territory of New Mexico, That Mr. Felipe Sanchez has no right to the seat he now occupies in this House, as Representative from the County of Taos.

“ Be it further Resolved, That Mr. Felix Borrego has the right to his seat in this House, as Representative from the County of Taos.

“ (Signed)

MIGUEL PINO, Ch’n.”

Mr. Trujillo, a member of said committee, made the following report, as follows :

“ Mr. Speaker—The minority of the committee, to which was referred the subject of the contest of the seat of Mr. Sanchez by Mr. Borrego, beg leave to report, that they have had the same under consideration, and have made some progress; but has not had sufficient time or opportunity to examine the proof on the part of the contested party, and not even sufficient time to examine the subject thoroughly.

“ Therefore, the minority of the committee is not prepared to report on the merits of the case in question; and as it is clear that the proofs on either side of the contending parties have to be brought from Taos, the said minority ask that the contest be referred again to the same committee, with instructions to give to the contending parties until next Monday to present their proofs, and that that be the day designated for the committee to take said subject under consideration.”

Mr. Wheaton moved the majority report be laid on the table, which motion was rejected by a vote of 15 to 8.

Those who voted in the affirmative were Messrs. Chavez of Bernalillo, Garcia of Socorro, Lovato, Mestas, Rael, Roival, Trujillo, and Wheaton.

Those who voted in the negative were Messrs. Baca, Chavez y Perea, Gallegos of Rio Arriba, Garcia of Bernalillo, Jaramillo, Kavanaugh, Keithly, Martinez, Mondragon, Pino, Sanchez of Santa Ana, Salazar, Valdez, Whitlock, and Mr. Speaker.

Mr. Martinez then moved the majority report be adopted, and the ayes and noes being called, it was decided in the affirmative—ayes 15, noes 8.

Those who voted in the affirmative were Messrs. Baca, Chavez y Perea, Gallegos of Rio Arriba, Garcia of Bernalillo, Kavanaugh, Keithly, Martinez, Mondragon, Pino, Sanchez of Santa Ana, Salazar, Valdez, Whitlock, and Mr. Speaker.

Those who voted in the negative were Messrs. Garcia of Socorro, Lovato, Mestas, Rael, Roival, Trujillo, and Wheaton.

So Mr. Felix Borrego was declared a Representative from the County of Taos, with the right to the seat occupied by Mr. Felipe Sanchez.

On motion of Mr. Salazar, the House adjourned until tomorrow at 10 o'clock A. M.

THURSDAY, DECEMBER 20, 1860.

The House met pursuant to adjournment, and, there being a majority present, the House proceeded to business.

The journal of yesterday was read and approved.

Mr. Salazar moved that the vote taken on the adoption of the majority report of the committee relative to the contest of Mr. Sanchez' seat by Mr. Borrego, be reconsidered ; which motion was laid on the table.

On motion of Mr. Martinez, a committee was appointed to wait upon the Hon. Kirby Benedict, Chief Justice, and invite him to be pleased to visit the House for the purpose of administering the oath of office to Mr. Felix Borrego, as Representative to this House from the County of Taos.

The Chair appointed on said committee Messrs. Martinez, Sanchez of Santa Ana, and Trujillo.

The said committee retired, and after a short absence returned and reported that they had discharged the duty assigned them.

Whereupon, the Hon. Kirby Benedict, Chief Justice, appeared and administered the oath of office to the Hon. Felix Borrego, as Representative from the County of Taos, who took his seat as such.

The Committee on Judiciary reported to this House that they had under consideration a Bill entitled "An Act relative to the enforcement of Laws," and that they did not see the necessity of such a Law, and recommend that said bill be laid on the table; which report was adopted.

Mr. Whitlock then offered the following resolution:

"Be it Resolved by the House of Representatives of the Territory of New Mexico, That the Secretary of the Territory be required and authorized to cause to be printed for the use of this House one thousand three hundred copies of His Excellency Governor A. Rencher's fourth Annual Message—one thousand in the Spanish and three hundred in the English language."

Which resolution was adopted, and the Chief Clerk of this House instructed to inform the Hon. Secretary of the Territory of the passage of said resolution.

Mr. Sanchez then introduced a Bill entitled "An Act prohibiting the obstruction of Roads;" which was read the first and second time.

When, on motion of Mr. Lovato, said bill was referred to the Committee on Counties.

Mr. Whitlock then introduced a Bill entitled "An Act to repeal 'An Act authorizing the Legislative Assembly to elect a Public Printer,'" which was read the first time, and, on motion of Mr. Salazar, rejected.

A Bill entitled "An Act relative to the Clerks of the Probate Courts" was then read the second time.

When, on motion of Mr. Whitlock, said bill was referred to the Committee on Judiciary.

A Bill entitled "An Act relative to the codification of the Laws" was then read the second time, and referred to the Committee on Territorial Affairs.

A communication from the Council was then read, requesting the concurrence of this House to meet that body in joint session for the purpose of going into the election of a Public Printer this day, at eleven o'clock; and the hour set having passed, the communication was laid on the table.

Whereupon, on motion of Mr. Pino, the House adjourned until to-morrow at 10 o'clock A. M.

FRIDAY, DECEMBER 21, 1860.

The House met pursuant to adjournment, and, there being a quorum present, the House proceeded to business.

The journal of yesterday was then read and approved.

The Speaker announced that he had signed a House Bill, which had been passed by both Houses, entitled "An Act incorporating the Abiquiú, Pagosa and Baker City Railroad Company ;"

And also a Joint Resolution, which originated in this House and had been concurred in by the Council, "requesting His Excellency the Governor to require of the several Judges of Probate to make a full report of all the depredations committed by the Indians in their respective Counties."

Mr. Chavez y Perea then presented a Petition from the inhabitants of Mora County, praying relief for the Sheriff of said county, Mr. W. A. Bransford ; and said Petition being discussed, on motion of Mr. Chavez y Perea, it was referred to a select committee, composed of Messrs. Chavez y Perea, Salazar, and Trujillo.

Mr. Mastes then offered the following resolution :

"Resolved, That both Houses of the Legislative Assembly meet in the Legislative Hall to-day, the 21st of December, at three o'clock in the afternoon, for the purpose of electing according to law, a Public Printer, and that a committee of three be appointed by the Chair to notify the Council of the passage of this resolution, and request the concurrence of the Council therein."

Mr. Whitlock moved that said resolution be laid on the table indefinitely ; which motion was adopted by a vote of 15 to 9.

Those who voted in the affirmative were Messrs. Borrego, Chavez y Perea, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Kavanaugh, Keithly, Martinez, Mondragon, Pino, Sanchez, Whitlock, Valdez, and Mr. Speaker.

Those who voted in the negative were Messrs. Baca, Garcia of Socorro, Lovato, Mestas, Rael, Roival, Salazar, Trujillo, and Wheaton.

So said resolution was laid on the table indefinitely.

Mr. Garcia of Bernalillo then introduced a Joint Resolution "Memorializing the Postmaster General to remedy the evil suffered by the failure of the Mail from Independence to Santa Fé ;" which was read the first time.

Mr. Lovato then introduced a Bill entitled "An Act to aid

the settlements and fields against the Rio del Norte ;” which was read the first and second time, by a suspension of the rules, and referred to the Committee on Counties.

The chairman of the standing committee to present Acts passed by both Houses, that originate in this House, for the signature of the presiding officers of both Houses, reported that said committee had visited the honorable Council for the purpose of presenting to the President of said body, for his signature, the acts that had been passed by both Houses, which originated in this House, and that said body had not admitted them ; and, therefore, the chairman of said committee, as also the members thereof, beg to be excused from further service on said committee.

On motion of Mr. Salazar, the report of said committee was referred to the Committee on Judiciary.

A Council Bill entitled “An Act repealing the second section of an Act approved February 2, 1860,” was then read the first time.

A Council Bill entitled “An Act creating an additional Precinct in the County of Bernalillo,” was then read the first time, when,

When on motion of Mr. García of Socorro, the House adjourned until half past three in the afternoon.

AFTERNOON SESSION.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The Select Committee appointed for the purpose of “enquiring into the cause of the delay of the Mail from Independence to Santa Fé, and to adopt measures to remedy in future this great evil,” reported through their chairman, Mr. Whitlock, a Preamble and Joint Resolutions concerning the matter.

Which report was adopted, and the said preamble and joint resolutions were read the first and second times by suspension of the rules ; and,

On motion of Mr. Kavanaugh, said preamble and joint resolutions were referred to a select committee of five, composed of Messrs. Kavanaugh, Keithly, Lovato, Garcia of Socorro, and Wheaton.

On motion of Mr. Lovato, the preamble and joint resolutions offered by Mr. Garcia of Socorro, “Memorializing the Postmaster General to remedy the evil occasioned by the failure of the Mail from Independence to Santa Fé,” which

being read the second time by a suspension of the rules, were referred to the aforesaid committee of five.

Mr. Pino, by leave, introduced a Bill entitled "An Act concerning the remission of Prisoners from one County to another," which was read the first and second time by a suspension of the rules, and referred to the Committee on Judiciary.

Mr. Pino, by leave, then introduced a Bill entitled "An Act designating the duties of persons giving Balls," which was read the first time and laid on the table one day under the rules.

Whereupon, on motion of Mr. Chavez of Bernalillo, the House then adjourned until to-morrow at 10 o'clock A. M.

SATURDAY, DECEMBER 22, 1860.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was read and approved.

The Standing Committee on Counties, to which was referred a Bill to be entitled "An Act prohibiting the obstruction of Roads," reported that they had the said bill under consideration, and believing it to be necessary recommended the passage thereof; which report was adopted.

The select committee to which was referred a Petition of the citizens of Mora, reported that they had examined the same, and believing the prayer of the said petition to be just, recommended the passage of a bill for the relief of W. A. Bransford.

Which report was adopted.

Mr. Chavez y Perea then introduced a Bill entitled "An Act for the relief of W. A. Bransford," which was read the first and second time by suspension of the rules; when,

On motion of Mr. Pino, was referred to the Committee on Territorial Affairs.

The Committee on Judiciary, to which was referred a Bill entitled "An Act concerning the Clerks of the Probate Court," reported that they had had said bill under consideration, and considering many of the provisions superfluous and unnecessary, recommended a substitute therefor of the same title.

On motion of Garcia of Socorro, the report, together with with said bill, were referred to a Committee composed of one member from each county.

The chair appointed on said committee Messrs. Garcia of Socorro, Chavez y Perea, Chavez of Bernalillo, Gallegos, Kavanaugh, Rael, Mestas, Sanchez, and Romero.

The Committee on Judiciary, to which was referred the request of the Committee to present Bills to the presiding officers of this Assembly for their signature, and to His Excellency the Governor for his approval, to be excused from serving further in said committee, reported :

That they had had the matter under consideration, and recommended that said request be not granted ; that the request was made for the reason that said committee were of the opinion that the Council had not treated them with due courtesy, which had been explained. But the committee recommended that whenever the Legislative Council shall commit any discourteous act towards this House, that all further communication with that body be suspended.

Which report was adopted.

Mr. Wheaton then introduced a Bill entitled "An Act relative to the Probate Courts of the Counties of Arizona and Mora," which was read the first, second and third time, by a suspension of the rules, and passed.

A communication from His Excellency the Governor, was then read, inviting the members and officers of the House of Representatives to visit him on Christmas-day.

Which communication was accepted by the House.

Mr. Sanchez then introduced a Bill entitled "An Act amendatory of the Law paying Interpreters to Courts," which bill was read the first and second time, and referred to the Committee on Judiciary.

Whereupon, on motion of Mr. Garcia of Socorro, the House adjourned until Wednesday the 26th instant, at 3 o'clock P. M.

WEDNESDAY, DECEMBER 26, 1860.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of Saturday, 22d inst., was then read and approved.

The Standing Committee on Counties, to which was referred a Bill entitled "An Act to protect the settlements and fields against the current of the Rio del Norte," reported in favor of said bill, and therefore recommended its passage.

Which report was adopted.

The Committee on Judiciary, to which was referred a Bill entitled "An Act for the relief of W. A. Bransford, reported that they had had under their consideration said bill, and, for the greater security of the loan to said Bransford, recommended a substitute thereto."

Which reported was adopted.

On motion of Mr. Mestas, the original Bill, together with the said substitute, were then referred to the Committee on Judiciary.

The Committee on Judiciary, to which was referred a Bill entitled "An Act amendatory of the Law paying Interpreters to Courts," reported in favor of said bill, and therefore recommended the passage thereof.

Which report was adopted.

The Standing Committee on Judiciary, to which was referred a Bill entitled "An Act relative to the sending of Prisoners from one County to another," reported in favor of said Bill, and therefore recommended the passage thereof.

Which report was adopted.

On motion of Mr. Garcia of Socorro, the rules were suspended, and the said bill read the third time and passed.

Mr. Chavez of Bernalillo, then introduced a Bill to be entitled "An Act authorizing the establishment of two Posts in the Counties of Bernalillo and Santa Ana," which was read the first time and passed to its second reading under the rules.

Mr. Lovato then introduced a Bill entitled "An Act creating an additional Precinct in the County of Bernalillo," which was read the first time, and passed to its second reading under the rules.

Mr. Pino then introduced a "Joint Resolution authorizing the calling of a Public Meeting, to be composed of the several Judges of Probate of the Territory, and of the principal citizens of the various Counties, to be held in the city of Santa Fé, on the 15th of January next, for the purpose of adopting measures to effectually punish the Navajo tribe, now at war with the Territory of New Mexico," which resolution was read the first, second and third time, by a suspension of the rules, and passed.

The Speaker announced that he had signed a Bill entitled "An Act for the relief Samuel Ellison."

Whereupon, on motion of Mr. Bacca, the House then adjourned until the following day, at 10½ o'clock A. M.

THURSDAY, DECEMBER 27, 1860.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was read and approved.

The Standing Committee on Territorial Affairs, to which was referred a Bill entitled "An Act authorizing the Codification of the Laws of this Territory," reported that they had examined said bill, and instead thereof, recommend a substitute with the following title: "An Act to revise, arrange and codify the Laws of this Territory."

Which report was adopted.

Whereupon, on motion of Mr. Lovato, the rules being suspended for the purpose, the said substitute was read the first, second and third time, and passed.

The Standing Committee to present Bills passed by this House to His Excellency the Governor, reported that they had presented Bills of the following titles, which originated in this House:

"An Act incorporating the Abiquiú, Pagosa and Baker City Road Company;" and also, "A Joint Resolution requesting His Excellency the Governor to require the different Judges of Probate to report to the Legislative Assembly the depredations committed by the hostile Indians in their respective counties."

Mr. Lovato introduced a Bill entitled "An Act authorizing Gaming Houses," which was read the first time and passed to its second reading under the rules.

A Bill entitled "An Act defining the duties of persons giving Balls," was then read the second time, and referred to the Committee on Judiciary.

"A Bill entitled "An Act authorizing the establishment of two Posts in the Counties of Bernalillo and Santa Ana," was then read the second time, and referred to the Committee on Indian Affairs.

A Bill entitled "An Act creating an additional Precinct in the County of Bernalillo," was then read the second time, and referred to a select committee composed of Messrs. Lovato, Garcia of Bernalillo, and Salazar.

A Bill (which originated in the Council) entitled "An Act creating an additional Precinct in the County of Bernalillo," was then read the second time; and, on motion of Mr. Lovato, the rules being suspended for the purpose, the said Bill was read the third time and passed.

A Council Bill entitled "An Act repealing the second sec-

tion of an Act approved Feb. 2, 1860," was then read the second time; when,

On motion of Mr. Whitlock, said bill was referred to a Select Committee, composed of Messrs. Whitlock, Chavez y Perea, and Garcia of Socorro.

A Bill entitled "An Act prohibiting the obstruction of Roads," was then read the second time; when, on motion of Mr. Whitlock, said bill was laid on the table.

A Bill entitled "An Act amendatory of a Law authorizing the paying of Interpreters to Courts," was then read the third time and passed.

A Bill entitled "An Act to assist the settlements and fields against the Rio del Norte," was then read the third time; when,

On motion of Mr. Salazar, the said bill was referred to a Select Committee composed of Messrs. Salazar, Valdez, Martinez, Mestas, Rael, Sanchez, Garcia of Bernalillo, Chavez y Perea, and Baca.

"A communication was then received from the Legislative Council, notifying this House that the Council had appointed a committee composed of Messrs. Ashurst, Lopez, and Romero, to present to His Excellency the Governor, for his approval, and to the presiding officers of each House, all acts passed by the Assembly, for their signatures.

Mr. Whitlock then announced to the House that it was his intention to introduce on the 10th of January next, "An Act repealing an Act for the protection of Slave property in this Territory," approved February 3, 1859; when,

On motion of Mr. Garcia of Socorro, the House then adjourned until the following day, at 10 o'clock A. M.

FRIDAY, DECEMBER 28, 1860.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

The Committee on Judiciary, to which was referred a Bill entitled "An Act defining the duties of all persons who shall give Balls," reported in favor of the passage of said bill.

Which report was adopted.

The Committee to which was referred a Bill entitled "An Act for the relief of W. A. Bransford, Sheriff of the County of Mora," together with a substitute for said bill, reported in favor of the original bill, and recommended its passage.

Which report was adopted.

The Select Committee, to which was referred "two Preambles and Joint Resolutions memorializing the Postmaster General relative to the failure of the Independence and Santa Fé Mail," reported in favor of the said Preambles and Joint Resolutions, and recommended the passage thereof.

Which report was adopted.

Mr. Pino then introduced a Bill entitled "An Act concerning especially the County of Santa Fé," which was read the first, second and third time, by a suspension of the rules, and passed.

Mr. Keithly then introduced a Bill entitled "An Act authorizing the opening and repairing of Roads in the Territory of New Mexico," which bill was read the first time, and ordered to be translated.

A Bill entitled "An Act authorizing Gaming Houses," was then read the second time, and referred to the Committee on Judiciary.

A Bill entitled "An Act defining the duties of all persons who shall give Balls" was then read the third time; and the question being put, "shall the said Bill pass?" it was decided in the affirmative—yeas 16, nays 6.

Those who voted in the affirmative were Messrs. Baca, Borrego, Chavez y Perea, Gallegos, Garcia of Bernalillo, Jaramillo, Kavanaugh, Keithly, Lovato, Martinez, Mondragon, Pino, Roival, Trujillo, Valdez, and Mr. Speaker—16 votes.

Those who voted in the negative were Messrs. Chavez of Bernalillo, Garcia of Socorro, Mestas, Rael, Sanchez of Santa Ana, and Salazar—6 votes.

So said bill was passed.

Two Preambles and Joint Resolutions "memorializing the Postmaster General, praying him to remedy the evil suffered by the failure of the Independence and Santa Fé Mail," were then read the third time and passed.

A communication was then received from His Excellency the Governor, advising this House of the resignation of the Hon. T. D. Wheaton, as Representative to this House from the County of Taos, for the reason that he entertained some doubt as to the legality of his election; which was laid on the table for one day under the rules.

A message was received from His Excellency the Governor, advising the House that he had signed "An Act incorporating the Abiquiú, Pagosa and Baker City Railroad Company;" and a "Joint Resolution requesting His Excellency to require the several Probate Judges to lay immediately before the Legislative Assembly a complete account of all

depredations committed by the hostile Indians in their respective Counties.”

Whereupon, on motion of Mr. Keithly, the House then adjourned until to-morrow, at 10 o'clock A. M.

SATURDAY, DECEMBER 29, 1860.

The House met pursuant to adjournment.

There being a quorum present, the House proceeded to business.

The journal of yesterday was read and approved.

Mr. Speaker then announced to the House that he had signed a Council Bill, which had passed both Houses, entitled “An Act creating an additional Precinct in the County of Bernalillo.”

The Committee on Counties, to which was referred “An Act creating an additional Precinct in the County of Bernalillo,” reported in favor of the passage of said act, which report was adopted.

The select committee to which was referred “An Act to protect the settlements and fields against the Del Norte river,” reported the same back to the House and recommend that said bill be rejected; which report was adopted.

The Committee on Counties, to which was referred “An Act amendatory of the law relative to Territorial and County Revenue,” reported in favor of the passage of said bill, with the accompanying amendments.

When, on motion of Mr. Salazar, the report, together with the said act, were referred again to the same committee.

Mr. Lovato then introduced a “Preamble and Joint Resolutions relative to the appointment of a joint committee to wait upon the Military Commandant of this Territory and solicit the establishment of two Military Posts—one at the Carriso, in the County of Socorro, and the other at the Nacimiento, on the west side of the Valle Mountain;” which preamble and joint resolutions were read the first time, and laid on the table one day under the rules.

Mr. Mestas then introduced a Bill entitled “An Act incorporating the Rio Grande Bridge Company;” which was read the first time, and laid on the table one day under the rules.

Mr. Lovato then introduced a Bill entitled “An Act giving jurisdiction to Probate Courts in causes of misdemeanors,

and for other purposes ;” which was read the first time, and was laid on the table one day under the rules.

Mr. Pino then introduced a Bill entitled “An Act for the relief of Luis Griego ;” which was read the first and second time, the rules being suspended for the purpose, and referred to a select committee, composed of Messrs. Pino, Kavanaugh, and Valdez.

A Bill entitled “An Act relative to Estrays” was then read the second time, and referred to the Committee on Judiciary.

A Bill entitled “An Act to open and repair the high Roads in the different Counties of the Territory of New Mexico,” was then read the second time, and referred to the Committee of the whole House.

A Bill entitled “An Act for the relief of W. A. Bransford,” was then read the third time, and passed.

On motion of Mr. Kavanaugh, the business on the Speaker’s table was then taken up.

The Legislative Council concurred in the passage of the House Preambles and Joint Resolutions “praying the Postmaster General to remedy the evil suffered from the failures of the Independence and Santa Fé Mail.”

A Council Bill entitled “An Act repealing an Act creating an additional Precinct in the County of Bernalillo,” was then read the first time, and laid on the table one day under the rules.

On motion of Mr. Kavanaugh, the message addressed to this House by His Excellency the Governor, relative to the “resignation of the Hon. T. D. Wheaton, as Representative from the County of Taos,” together with Mr. Wheaton’s resignation that accompanied said message, were then taken up and read.

When, on motion of Mr. Kavanaugh, the said message was accepted, and the seat of the Hon. T. D. Wheaton was considered vacant.

A Bill entitled “An Act authorizing Gaming-houses” was then read the third time, and the ayes and noes being taken on the passage of said bill, it was passed by a vote of 16 to 6.

Those who voted in the affirmative were Messrs. Baca, Borrego, Chavez y Perea, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Kavanaugh, Keithly, Lovato, Mestas, Pino, Rael, Roival, Sanchez, Trujillo, and Valdez.

Those who voted in the negative were Messrs. Garcia of Socorro, Jaramillo, Martinez, Mondragon, Salazar, and Mr. Speaker.

So the said bill passed.

Whereupon, on motion of Mr. Rael, the House then adjourned until Wednesday, the 2d of January, 1861, at 10 o'clock A. M.

WEDNESDAY, JANUARY 2, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of Saturday, the 29th of December last, was read and approved.

The select committee to which was referred "An Act for the relief of Luis Griego," reported in favor of the passage of said act; which report was adopted.

On motion of Mr. Lovato, the rules were suspended, and the said act read the third time and passed.

The Committee on Judiciary, to which was referred "An Act relative to Estrays," reported in favor of the passage of said bill; which report was adopted.

Mr. Chavez of Bernalillo then offered the following resolution:

"Resolved, That the Chief Clerk of this House be instructed and required to request of His Excellency the Governor and Col. Fauntleroy a copy of all the Correspondence they have had with the several Departments of the General Government, relative to the Indian Affairs of this Territory, during the past year."

Which resolution was adopted.

Mr. Valdez then introduced "An Act defining the duties of owners of Mills;" which was read the first, second and third time, by a suspension of the rules, and passed.

Mr. Pino then introduced "An Act laying a tax on Steam Engines and Saw-mills;" which was read the first and second time, and referred to the Committee on Agriculture and Manufactures.

A Joint Resolution for the "appointment of a committee to wait upon the Military Commandant and solicit him to establish two Military Posts," was then read the second time.

On motion of Mr. Pino, said preamble and joint resolutions were laid on the table indefinitely.

A Bill entitled "An Act incorporating the Rio Grande Bridge Company," was then read the second time, and referred to the Committee on Counties.

"An Act giving jurisdiction to the Probate Court in criminal cases and in those of misdemeanor, and for other purposes," was then read the second time, and referred to the Committee on Counties.

A Council Bill entitled "An Act repealing 'An Act creating an additional Precinct in the County of Bernalillo,'" was read the second time.

"An Act creating an additional Precinct in the County of Bernalillo," was then read the third time, and rejected.

"An Act relative to Estrays" was then read the third time, and passed.

On motion of Mr. Garcia of Socorro, the House then proceeded to take up the business on the Speaker's table.

The Legislative Council concurred in the passage of the House Preamble and Joint Resolutions relative "to calling a Convention, to be held in the City of Santa Fé, in this month, to be composed of the several Judges of Probate and citizens of standing of the Territory, to adopt such measures as may be most practicable to punish the Navajo tribe now at war with the Territory of New Mexico," with some amendments, which were concurred in by this House.

A Council Bill entitled "An Act creating and organizing the Counties of San Juan and Rio Bonito," was then read the first time.

When, on motion of Mr. Pino, the rules were suspended, the said bill read the second time, and referred to the Committee on Counties.

A Council Bill entitled "An Act amendatory of the Law on Executions," was then read the first time, and laid on the table one day under the rules.

A House Bill entitled "An Act authorizing Gaming-houses" was rejected by the Council.

The Council concurred in the passage of a House Bill entitled "An Act relative to Probate Courts in the Counties of Arizona and Mora."

A Council Bill entitled "An Act to change the County Seat of Arizona," was then read the first time, and laid on the table one day under the rules.

When, on motion of Mr. Mondragon, the House then adjourned until to-morrow at 10 o'clock A. M.

THURSDAY, JANUARY 3, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was read and approved.

The Committee on Counties, to which was referred "An Act incorporating the Rio Grande Bridge Company," reported in favor of the passage of said act; which report was adopted.

The Committee on Enrolled Bills reported to the House that they had examined a "Preamble and Joint Resolutions authorizing the calling of a Meeting, to be held on the 25th inst., in the City of Santa Fé, to be composed of the several Probate Judges and other citizens, for the purpose of adopting proper measures to chastise the Navajo tribe, now at war with the Territory of New Mexico," and find the same correctly enrolled.

Which report was adopted.

The Committee on Counties, to which was referred "An Act amendatory of the Territorial and County Revenue Law," reported, "That they had had the said bill under consideration, and recommended the passage of a substitute instead thereof, which they submitted to the House, of the same title."

Which report was adopted by a vote of 13 to 9.

Those who voted in the affirmative were Messrs. Chavez y Perea, Chavez of Bernalillo, Gallegos, Jaramillo, Keithly, Lovato, Pino, Roival, Sanchez, Salazar, Valdez, Whitlock, and Mr. Speaker—13.

Those who voted in the negative were Messrs. Baca, Borrego, Garcia of Bernalillo, Garcia of Socorro, Martinez, Mondragon, Mestas, Rael, and Trujillo—9.

Whereupon, on motion of Mr. Whitlock, the said substitute was referred to the Committee on Revenue.

Mr. Lovato introduced a Memorial addressed to the Congress of the Union, asking the establishment of two Military Posts—one in the Magdalena Pass, and the other on the Puerco river;" which was read the first time.

Mr. Whitlock then introduced "An Act concerning Revenue, Justices of the Peace, and Constables;" which was read the first time and laid on the table one day under the rules.

Mr. Whitlock also introduced "An Act relative to Appeals taken from sentences of Justices of the Peace;" which act was read the first time.

Mr. Keithly introduced "An Act relative to Judges who fail to take Bonds in criminal cases;" which was read the first time.

Mr. Lovato then introduced "An Act referring especially to the protection of the settlements and fields in the County of Bernalillo against the Rio del Norte," which was read the first time; and the rules being suspended for the purpose, the said act was read the second time, and referred to a special committee, composed of Messrs. Chavez y Perea, Mondragon, and Whitlock.

Mr. Martinez then introduced "An Act prohibiting the service of Process by persons who shall have failed to give Bond;" which was read the first time.

Mr. Pino then introduced "An Act amendatory of the Gaming Law," which was read the first time.

Mr. Lovato moved that the vote taken on yesterday, on the passage of "An Act creating an additional Precinct in the County of Bernalillo," be reconsidered; which was not agreed to.

The Speaker then signed a "Preamble and Joint Resolutions authorizing the calling of a Public Meeting on the 25th inst., for the purpose of adopting measures to chastise the Navajo tribe of Indians."

A Council Bill entitled "An Act amendatory of the Law on Executions" was then read the second time, and referred to a special committee, composed of Messrs. Whitlock, Lovato, and Salazar.

A Council Bill entitled "An Act changing the County Seat of the County of Arizona," was then taken up and read the second time.

When, on motion of Mr. Whitlock, the rules were suspended, and the said bill read the third time and passed.

"An Act repealing 'An Act creating an additional Precinct in the County of Bernalillo,'" was then read the third time, and passed by a vote of 16 to 6.

Those who voted in the affirmative were Messrs. Baca, Chavez y Perea, Chavez of Bernalillo, Garcia of Bernalillo, Garcia of Socorro, Jaramillo, Lovato, Mondragon, Mestas, Pino, Roival, Sanchez, Salazar, Trujillo, Valdez, and Mr. Speaker—16 votes.

Those having voted in the negative were Messrs. Borrego, Gallegos, Keithly, Martinez, Rael, and Whitlock—6 votes.

"An Act incorporating the Rio Grande Bridge Company" was then read the third time, and passed.

On motion of Mr. Keithly, the business on the Speaker's table was then taken up.

“An Act relative to Estrays,” which originated in the House, was rejected by the Council on its first reading.

The Council concurred in the passage of a House Bill “relative to the County of Santa Fé.”

Whereupon, on motion of Mr. Keithly, the House then adjourned until to-morrow, at 10 o'clock A. M.

FRIDAY, JANUARY 4, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

The Committee on Agriculture and Manufactures, to which was referred “An Act taxing Steam-power and Saw-mills,” reported in favor of the passage of said bill, with the following amendment: Strike out the word “thirty,” and insert the word “fifty;” which report was adopted by a vote of 14 to 8.

Those who voted in the affirmative were Messrs. Baca, Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Garcia of Socorro, Lovato, Martinez, Roival, Sanchez, Valdez, and Mr. Speaker—14.

Those who voted in the negative were Messrs. Chavez y Perea, Kavanaugh, Keithly, Mondragon, Rael, Salazar, Trujillo, and Whitlock—8.

The Committee on Revenue, to which was referred “An Act amendatory of the Territorial and County Revenue Law,” reported against the passage of said bill; which report was rejected.

The select committee, to which was referred “An Act repealing the second section of ‘An Act approved February 2, 1860,’” reported that they had said bill under consideration, and begged leave to submit a substitute thereto, of the following title: “An Act repealing the second section of ‘An Act relative to Marriages,’” approved February 2, 1860; which report was adopted.

Mr. Whitlock then introduced the following resolution:

“Whereas the House of Representatives of the Territory of New Mexico have been informed that the Hon. Guillermo G. Blackwood, Judge of the Second Judicial District of the Territory of New Mexico, notwithstanding the existence of a law approved January 31, 1860, entitled ‘An Act

requiring the Judges of the District Court to hold special terms of their Courts in certain cases, and for other purposes ;' that the positive and mandatory provisions of said act have been disregarded by said Judge ; therefore,

“ Be it Resolved by the House of Representatives of the Territory of New Mexico, That a committee of three members be appointed by the Speaker, whose duty it shall be to investigate the matter and to report to this House upon the truth of the information.”

Which preamble and resolution were adopted.

The Chair then appointed on said committee Messrs. Whitlock, Salazar, and Chavez y Perea.

Mr. Pino then offered the following resolution :

“ Be it Resolved by the House of Representatives of the Territory of New Mexico, That a committee composed of five members be appointed for the purpose of drawing up a Memorial addressed to the President of the United States, setting forth the reasons the Legislative Assembly of the Territory of New Mexico have to request His Excellency the President to forthwith remove the present Military Commander, Thomas T. Fauntleroy, from this Department, and the appointment of another person in his place, who will discharge the duties assigned an officer who occupies so important a position.”

Which resolution was unanimously adopted.

The Chair (the Hon. Levi Keithly) then appointed on said committee Messrs. Pino, Chavez y Perea, Garcia of Socorro, Salazar, and Gallegos of Santa Fé.

“ An Act relative to Appeals from Justices of the Peace” was then taken up and read the second time, and referred to the Committee on Judiciary.

“ An Act relative to Justices of the Peace who shall fail to take recognizances from witnesses in criminal cases,” was then read the second time, and referred to the Committee on Territorial Business.

“ An Act concerning Judges, Revenue, and Constables,” was then taken up, read the second time, and referred to the Committee on Revenue.

“ An Act prohibiting the service of Process on persons who shall fail to give Bonds,” was then taken up and read the second time.

Mr. Whitlock moved to strike out the third section, and insert instead thereof the following :

“ Sec. 3. That any constable, after being qualified, and after the filing of his bond, may appoint one or more depu-

ties ; and it shall be his duty to appoint such deputy in case of a contemplated absence from the precinct ; and all such deputies shall be qualified before the Justice of the Peace whenever it may be practicable, and by the constable himself when it is not practicable, the constable being at all times responsible for the acts of his deputy or deputies.”

Which amendment was adopted.

On motion of Mr. Mondragon, the said act, as amended, was referred to a select committee, composed of Messrs. Mondragon, Garcia of Socorro, and Rael.

“An Act amendatory of the Law prohibiting Gaming,” was then read the second time.

Mr. Chavez y Perea moved to strike out the fourth section of said act. Agreed to.

So the fourth section of said act was stricken out.

Whereupon, on motion of Mr. Chavez y Perea, the rules were suspended, and the said bill read the third time and passed.

A Memorial addressed to the Congress of the Union, praying the establishment of two Military Posts—one on the Rio Puerco, and the other at the Magdalena—was then read the second time ; when, on motion of Mr. Chavez y Perea, said Memorial was referred to a select committee, composed of Messrs. Chavez y Perea, Kavanaugh, and Mestas.

“An Act repealing the second section of ‘An Act relative to Marriages,’ ” approved February 2, 1860, was then read the third time, and rejected.

“An Act taxing Steam-power and Saw-mills” was then read the third time, and passed by a vote of 14 to 8.

Those who voted in the affirmative were Messrs. Baca, Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Garcia of Socorro, Kavanaugh, Lovato, Martinez, Mestas, Pino, Roival, Valdez, and Mr. Speaker.

Those who voted in the negative were Messrs. Chavez y Perea, Keithly, Mondragon, Rael, Sanchez, Salazar, Trujillo, and Whitlock.

“An Act amendatory of the Territorial and County Revenue Law” was then read the third time.

Mr. Salazar moved to strike out the word “twenty,” in section third of said act, and insert the word “fifteen ;” and in section fourth, strike out the word “thirty,” and insert the word “twenty ;” which amendments were adopted.

On motion of Mr. Garcia of Socorro, said bill, as amended, was referred to a select committee, composed of Messrs. Garcia of Socorro, Salazar, and Pino.

“An Act organizing the County of San Juan” was then

read the third time, and referred to a select committee of five members, composed of Messrs. Kavanaugh, Gallegos, Jaramillo, Mondragon, and Garcia of Socorro.

On motion of Mr. Garcia of Socorro, the business on the Speaker's table was then taken up.

The Council concurred in the House "Bill for the relief of W. A. Bransford, Sheriff of Mora County," with the following amendment to the first section: "Provided, that he shall pay one per cent. per annum;" which amendment was concurred in by this House.

The Council concurred in the passage of the House "Bill for the relief of Luis Griego."

On motion of Mr. Pino, the House adjourned until to-morrow at 10 o'clock A. M.

SATURDAY, JANUARY 5, 1861.

The House met pursuant to adjournment, and, there being a majority present, proceeded to business.

The journal of yesterrday was read and approved.

The Committee on Judiciary, to which was referred "An Act relative to Appeals from sentences of Justices of the Peace," reported in favor of the passage of said act, which report was adopted.

The Committee on Enrolled Bills, to which was referred "An Act relative to the Probate Courts in the Counties of Arizona and Mora," reported that the said committee had examined said act, as also a "Preamble and Joint Resolution Memorializing the Postmaster General relative to the failure of the Mail from Independence to Santa Fé," and found them correctly enrolled; which report was adopted.

The select committee, to which was referred "An Act to protect the settlements and fields from the Rio del Norte," reported against the passage of said act.

Mr. Garcia of Socorro moved to refer said report and act to a special committee, which was not agreed to; and the ayes and noes being called, resulted as follows:

Those who voted in the affirmative were Messrs. Chavez y Perea, Garcia of Bernalillo, Jaramillo, Martinez, Mondragon, Pino, Sanchez, Valdez, Whitlock, and Mr. Speaker.
—10.

Those who voted in the negative were Messrs. Baca, Cha-

vez of Bernalillo, Garcia of Socorro, Kavanaugh, Keithly, Lovato, Mastes, Rael, Roival, Salazar, and Trujillo—11.

Mr. Garcia then moved to refer said report and bill to the same committee. Not agreed to.

Mr. Garcia then moved said report be rejected. Not agreed to.

Mr. Garcia moved to adjourn until three o'clock in the afternoon. Not agreed to.

Mr. Martinez then moved said report of the committee be adopted; which motion was agreed to.

So the report of said committee was adopted.

A message was received from His Excellency the Governor informing this House that he had approved a "Joint Resolution relative to calling a Public Meeting on the 25th of the present month, in the City of Santa Fé, composed of the various Judges of Probate and citizens of respectability and probity of the Territory of New Mexico."

The select committee to which was referred "An Act prohibiting the service of Process by persons that have not entered into Bonds," reported in favor of the passage of said act; which report was adopted.

The select committee to which was referred "An Act creating and organizing the County of San Juan," reported in favor of the passage of said act, which report was adopted.

The committee appointed to investigate into the truth of certain charges made against the Hon. W. G. Blackwood, Judge of the Third Judicial District, reported thereon, and, on motion of Mr. Salazar, the said report was returned to the same committee in order that they might inquire further into the subject.

Mr. Lovato then offered the following resolution:

"Be it Resolved by the House of Representatives of the Territory of New Mexico, That a committee, to be composed of five members, be appointed, for the purpose of drawing up a Memorial addressed to the Congress of the Union, praying an appropriation sufficient to support a regiment of Mounted Volunteers in this Territory, for one year, for the purpose of chastising the different savage tribes that are committing depredations upon our unfortunate Territory."

Which resolution was adopted.

Whereupon, the Chair appointed on said committee Messrs. Lovato, Baca, Pino, Kavanaugh, and Martinez.

On motion of Mr. Chavez y Perea, the House then adjourned until Monday next, at 10 o'clock A. M.

MONDAY, JANUARY 7, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was read and approved.

The Committee on Enrolled Bills, to which was referred the following entitled acts, reported that they had examined the same, and found them correctly enrolled—"An Act for the relief of William A. Bransford, Sheriff of Mora County," and "An Act for the relief of Luis Griego;" which report was adopted.

The Speaker then signed acts and a joint resolution of the following titles, to-wit:

An Act relative to the Probate Judges of the Counties of Arizona and Mora;

An Act for the relief of Luis Griego;

An Act relative to the County of Santa Fé;

An Act for the relief of William A. Bransford, Sheriff of Mora County; and

Two Preambles and Joint Resolutions memorializing the Postmaster General relative to the injuries suffered from the failure of the Mails from Independence to Santa Fé, and praying a speedy remedy.

The Standing Committee on Revenue, to which was referred "An Act concerning Revenue, Justices of the Peace, and Constables," reported in favor of the passage of said bill, with the amendments accompanying the same; which report was adopted.

The Standing Committee appointed to present to His Excellency the Governor, for his signature and approval, Acts, &c., report that they had presented the following entitled acts and joint resolutions, passed by both Houses, to-wit:

An Act relative to the County of Santa Fé;

An Act relative to the Probate Courts in the Counties of Arizona and Mora;

An Act for the relief of Luis Griego;

An Act for the relief of William A. Bransford, Sheriff of the County of Mora; and

Two Preambles and Joint Resolutions memorializing the Postmaster General, praying a speedy remedy for the failure of the Mails from Santa Fé to Independence.

Which report was adopted.

Mr. Mestas then introduced a Preamble and Joint Resolutions "praying Congress to form a Judicial District com-

posed of the Counties of Arizona and Doña Ana ;” which were read the first time.

Mr. Martinez then introduced “An Act relative to the custody of Convicts in Jail,” which act was read the first time.

Mr. Kavanaugh then introduced “An Act relative to feeding Prisoners in Jail ;” which was read the first and second time, the rules being suspended for the purpose, and referred to a committee, composed of Messrs. Pino, Garcia of Socorro, and Mestas.

“An Act relative to Appeals from sentences of Justices of the Peace,” was then read the third time, and passed.

“An Act prohibiting the service of process by Persons that have not entered into Bond,” was then read the third time, and passed.

“An Act concerning Revenue, Justices of the Peace, and Constables,” was then read the third time, when Mr. Pino offered to amend said act as follows: Strike out the word “two,” in the 7th section of said act, and insert the word “ten ;” which amendment was adopted, and said act, as amended, passed.

On motion of Mr. Lovato, the business on the Speaker’s table was then taken up.

A Preamble and Joint Resolution “requesting the Hon. Secretary of the Territory to have printed with the Laws of the present session, the Laws relative to Last Wills and Testaments, compiled by Pedro Murillo,” was then read the first, second and third time, by a suspension of the rules, and passed.

“An Act uniting the 7th and 21st Precincts, in the County of Taos,” was then read the first and second time, by a suspension of the rules, and referred to a select committee, composed of Messrs. Martinez, Sanchez, and Borrego.

A communication from the Legislative Council was then read, notifying this House of the appointment of a committee, composed of Messrs. Ashurst, Pacheco, and Torres, as a committee of conference to act with a similar committee of this House, on a Council Bill entitled “An Act repealing section second of “An Act organizing the Mesilla Mining Company,” which had been rejected by this House.

Whereupon, on motion of Mr. Lovato, a committee was appointed to confer with the said Council committee, as desired by that body, composed of Messrs. Lovato, Whitlock, and Salazar.

A communication was then read from the Judge of Probate of Socorro County, advising the Legislative Assembly

of depredations committed recently by the Navajo Indians in that county.

On motion of Mr. Garcia of Socorro, the said communication was referred to the Committee on Indian Affairs.

“An Act creating and organizing the County of San Juan,” which had remained over on yesterday, was now taken up and passed; when,

On motion of Mr. Garcia of Socorro, the House adjourned until to-morrow, at 10 o'clock A. M.

TUESDAY, JANUARY 8, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was read and approved.

The Special Committee to which was referred “An Act relative to feeding the Prisoners in the public Jails,” reported back a substitute entitled “An Act providing for the feeding of Prisoners in the different Counties in this Territory, and for other purposes.”

Which report was adopted.

The Special Committee to which was referred “An Act repealing an Act uniting Precincts 7 and 21 in the County of Taos,” reported in favor of the passage of said act, with the accompanying amendments.

Which report was adopted.

The Special Committee, to which was referred “An Act relative to Probate Clerks,” reported in favor of the passage of said act, with the accompanying amendments.

On motion of Mr. Gallegos, the said act, together with the accompanying amendments, was referred to a Select Committee composed of Messrs Gallegos, Keithly, and Pino.

Mr. Whitlock then introduced the following resolution :

“Resolved, That a committee of three members of this House be appointed to enquire into the cause why the appropriation for the completion of our Capitol is not now being applied to that purpose.”

Which resolution was adopted.

Whereupon, the chair appointed on said committee Messrs. Whitlock, Roival, and Jaramillo.

Mr. Salazar then introduced “An Act repealing an Act approved February 4, 1854, and another Act approved January 31, 1860,” which act was read the first and second time,

the rules being suspended for the purpose, and referred to the Committee on Judiciary.

"An Act relative to the safe keeping of Prisoners in Jail," was then read the second time, and referred to the Committee on Judiciary.

"A Preamble and Joint Resolution relative to Memorializing Congress, praying the creation of a Judicial District composed of the Counties of Doña Ana and Arizona," was then read the second time, and referred to the Committee on Counties.

"An Act uniting the 7th and 21st Precincts in the County of Taos," which originated in the Council, was then read the third time.

Mr. Salazar moved said act be referred to a select committee for the better consideration thereof. Agreed to.

-- The chair appointed on said committee Messrs. Salazar, Martinez, and Lovato.

"An Act to provide for feeding Prisoners in the different Counties of this Territory," was then read the third time and passed.

A message was then received from His Excellency, advising this body that he had approved the following entitled House Bills, to-wit:

An Act for the relief of Luis Griego ;

An Act relative to the Probate Courts of Arizona and Mora Counties ; and

An Act relative to the County of Santa Fé only.

A committee from the Council was received, and who presented to the Speaker the following entitled acts for his signature: "An Act changing the County Seat of the County of Arizona," and "An Act repealing an Act creating an additional Precinct in the County of Bernalillo;" which were signed by the Speaker, as requested by the said committee.

The following communication from His Excellency the Governor, was then read :

"I have just received your communication of the 5th, in which you request me, by order of the House of Representatives, to furnish you 'a copy of all the correspondence ' which I have had with the various departments of the Federal Government relative to Indian affairs in this Territory, ' during the last year.'

"In reply I have the honor to state, that I have held no correspondence with any department of the Federal Government relative to our Indian affairs, except so far as I have felt it my duty to report to the Secretary of State, and through

him to the President, the depredations and wrongs done to the property and persons of the citizens of the Territory by the Indians. The whole subject of our Indian affairs has been taken from the Governor, and transferred to other and abler hands. I suppose, therefore, the call was intended to be made upon the Superintendent of Indian Affairs, who has the whole management and control of our Indian relations in this Territory; and who has, without doubt, fully and truly represented them to the Indian Department at Washington. In the recent reports made to Congress by the Secretary of War, and the Commissioner of Indian Affairs, these depredations and wrongs are represented in very strong language, which shows that the Government at Washington has been fully and truly informed upon this subject; and this, I suppose, was the object sought for by the resolution of the House of Representatives.

“My official correspondence is conducted with the Secretary of State, to whom I have represented, from time to time, in as strong language as I could, not only the depredations and wrongs done to the people of the Territory by the Indians, but also the want of sufficient protection afforded by the army during the last spring and summer. To repeat the language used by me on these occasions, would only be to repeat the language contained in my recent message to the Legislative Assembly.”

Which was laid on the table one day under the rules.

A report from His Excellency the Governor was then read, advising this House that he had received a report from the Judge of Probate of the County of Bernalillo relative to Indian depredations in that county, which he transmitted to this honorable House for their information and action thereon.

Mr. Lovato then laid before this House a report from the Justice of the Peace of Galisteo, advising this body of the depredations committed by the Indians in the county of Santa Fé.

On motion of Mr. Pino, the reports relative to Indian depredations were referred to the Committee on Indian Affairs.

The Council concurred in the passage of the House Bill “prohibiting Prisoners being taken from one County to another.”

A Council Joint Resolution and Memorial, addressed to the President of the United States, recommending Mr. John Ward for the appointment of an Indian Agency, were then read the first and second time, the rules being sus-

pended for the purpose, and referred to a special committee composed of Messrs. Pino, Keithly, and Garcia of Socorro.

A Council Preamble and Joint Resolutions were then read the first, second and third time, and passed; which tendered thanks to the brave and gallant Volunteer forces for the faithful discharge of their duties in the recent campaign against the Navajo tribe, and for the appointment of a Joint Committee to draw up a bill for the payment of said Volunteers during said campaign; and also approving and sustaining fully the action of the General Convention of the Territory of New Mexico, held in the city of Santa Fé, on the 27th day of August, 1860.

On motion of Mr. Pino, the Chief Clerk of this House was instructed to advise the Council that the proper committee of conference had been appointed.

When, on motion of Mr. Borrego, the House then adjourned until to-morrow at 10 o'clock A. M.

WEDNESDAY, JANUARY 9, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was read and approved.

The Standing Committee on Territorial Affairs, to which was referred "An Act relative to Justices of the Peace who fail to recognize witnesses in Criminal Causes," reported in favor of said act and recommended its passage; which report was adopted.

The Standing Committee on Judiciary, to which was referred "An Act repealing an Act approved February 4, 1857, and another Act approved January 31, 1860," reported in favor of said act, and recommended its passage; which report was adopted.

The Special Committee to which was referred a Council Bill entitled "An Act amendatory of the Execution Law," reported back a substitute therefor, of the following title, and recommended the passage thereof—"An Act facilitating the collection of Debts;" which report was adopted. When,

On motion of Mr. Pino, the said report, together with the said substitute, were again referred to the same committee for their further deliberation thereon.

On motion of Mr. Baca, the House then adjourned until to-morrow, at 10 o'clock A. M.

THURSDAY, JANUARY 10, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

The Committee on Judiciary, to which was referred "An Act relative to the safe keeping of Prisoners in Jail," reported in favor of said act and recommended its passage; which report was adopted.

The Committee on Counties, to which was referred a "Joint Resolution memorializing the Congress of the Union for a Judicial District, composed of the counties of Arizona and Doña Ana," reported in favor of said joint resolution and recommended its passage; which report was adopted.

The Committee on Enrolled Bills reported that they had examined a "Bill relative to the remission of Prisoners from one County to another," and found it correctly enrolled; which report was adopted.

The majority of the Committee to which was referred "An Act relative to Territorial and County Revenue," reported in favor of said act, and recommended its passage.

On motion of Mr. Salazar, the report of the said majority of said committee was laid on the table.

The Speaker then announced to the House, that he had signed a House Bill, concurred in by the Council, entitled "An Act prohibiting the remission of Prisoners from one County to another."

"The majority of the Committee appointed to enquire into the official conduct of the Hon. Wm. G. Blackwood, Judge of the Second Judicial District Court of the Territory of New Mexico, report that they have had the subject under their serious consideration; and notwithstanding there is a law requiring the District Judges to hold special terms of their Courts in Criminal Causes, and for other purposes, the majority of the committee are of the opinion, nevertheless, that the Hon. Wm. G. Blackburn is not at all culpable for not calling a special term of his court to try the criminals, Charles Heppel and Reyes Sanchez."

The ayes and noes being called on the adoption of said majority report, it was decided in the negative by a vote of 14 to 9.

Those who voted in the affirmative were Messrs. Chavez y Perea, Chavez of Bernalillo, Garcia of Socorro, Kavanaugh, Lovato, Mestas, Roival, Salazar, and Trujillo—9.

Those who voted in the negative were Messrs. Baca, Bor-

rego, Gallegos, Garcia of Bernalillo, Jaramillo, Keithly, Martinez, Mondragon, Pino, Rael, Sanchez, Valdez, Whitlock, and Mr. Speaker—14.

So said majority report was rejected.

The minority of said committee then made the following report :

“The minority of the Committee to which was referred the investigation of the official conduct of Wm. G. Blackwood, Judge of the Second Judicial District Court of the Territory of New Mexico, respecting the charge of nullifying an Act of the General Assembly of this Territory, entitled ‘An Act requiring the Judges of the District Court to hold special terms of their courts in certain cases, and for other purposes,’ beg leave to report that they have diligently examined the official acts of said Wm. G. Blackwood, in relation to the charge of nullifying said act, approved January 31, 1860, (see Session Acts of 1859–’60, page 62) and find that said act makes full and ample provisions for giving effect to its requirements for the speedy trial of persons committed on the charge of murder.

“The act commands that ‘whenever a murder shall be committed in any county of this Territory, except during the regular term of the District Court, and within twenty days before, and the party accused of having committed this offence shall, on examination of the cause by the court, be committed to jail or held to bail to answer the charge of the offence, it shall be the duty of the court examining the cause, immediately after the examination to transmit the papers and proceedings of the examination to the judge of the district in which the offence is to be tried; and if the judge of the district shall not be present, then it becomes the duty of the judge examining the case to transmit the papers to the nearest District Court; and all witnesses in murder cases shall be recognized by the court examining the case, as now provided by law.’ And the same act further provides that ‘at any time when the judge of the district shall receive the record and proceedings that any murder has been committed, he will order immediately thereafter the clerk of his court to issue venires for the panel of grand and petit jurors of the county in which the offence shall have been committed, who shall have served at the last regular term of the district, returnable in at least ten days after the issuing thereof.’

“Section 3 of the same act provides also, that ‘whenever the District Judge shall receive the copy of the record and

proceedings of a murder that has been committed, it shall be his duty as soon as possible thereafter, *not exceeding ten days after he shall have received the information, to order and direct that a court shall be called and HELD* for the trial of said cause.'

"Furthermore, it is provided in section 5 of the same act, that 'if the regular Attorney General shall not be present at any special term of the court that shall be called under the provisions of this act, it shall be the duty of the judge to appoint some attorney to prosecute at said special term; and the person so appointed shall receive a certificate for his services for the sum of fifty dollars, which shall entitle the person thus appointed to a warrant upon the Territorial Treasury for said sum.'

"The law upon the subject is mandatory upon the judge to 'order and direct that a court shall be called and held' within a specified time after he shall have received a copy of the 'record and proceedings' of the preliminary examination of a murder that has been committed.

"The fact that the law approved January 31, 1860, repeals section 13 of the Act of July 10, 1851, respecting courts and judicial powers, removes every doubt as to the intention of the Legislative Assembly to take away all discretionary powers from the District Judges respecting the holding of special terms of their courts for the trial of persons charged with murder. And that the Legislature is desirous of executing its laws, it is only necessary to refer to the act of the 15th February, 1854, which punishes an officer, convicted of an omission, with removal and disqualification of ever holding or enjoying any office of honor, trust or profit under the laws of this Territory.

"We further find, upon examination, that there are three several commitments for murder, bearing the official signature of William G. Blackwood, in the office of the Sheriff of Santa Fé County, directed to the Sheriff of Taos County, the first of which is dated September 10, 1860, and commands the Sheriff of Taos County to safely keep Charles Heppel, 'so that he have him before the District Court of the Second Judicial District in said Territory, to be held for the said County of Taos on the first Monday of *April next ensuing*.' The second commits Reyes Sanchez to the prison of Taos County, and bears date December, 19, 1860. The third is dated the 27th day of December, 1860, and commands the Sheriff of Taos County to convey the person of Reyes Sanchez to the prison of the County of Santa Fé, 'and there deliver him to the Sheriff of the said County of Santa Fé,

with directions to him, the said Sheriff of the County of Santa Fé, him, the said Reyes Sanchez, to safely keep so that *he* have him before our District Court for the County of Taos at its next ensuing term.'

"The first writ imprisons Reyes Sanchez in the jail of Taos County, on the 19th of December, and it is the presumption in law that he remained there until the issuing of the second writ, commanding the Sheriff of Taos County to convey him to the prison in Santa Fé. The fact that Reyes Sanchez was committed to the jail of Santa Fé County on the 21st of December, as appears from the Register of Commitments kept by the Sheriff of the latter county, shows that the first writ was disregarded, and that the second was of no avail, for the reason that it commanded the Sheriff of Taos County to perform an impossibility. It is, therefore, a mystery how Reyes Sanchez *legally* came into the custody of the Sheriff of Santa Fé County on the 21st of December.

"In both instances the preliminary examinations were held by Judge Blackwood in person, and consequently the copies of the record and proceedings necessary to authorize him to *order and direct that a court shall be called and held* for the trial of the offenders, were in his possession at the moment of closing the examinations which were respectively held and concluded September the 10th, and December the 19th, 1860. The act fixing the times of holding the District Courts for the County of Taos, designates the first Mondays of April and September, which latter period, in the year 1860, was the *third* day of September; and the charge of murder was not preferred against Charles Heppel until the 10th day, which was the second Monday, and was within the period contemplated by law for the holding of the District Court in the County of Taos, 'providing the business was not sooner disposed of.' And it is presumed that the court had disposed of its business and adjourned for the term, for the reason that the prisoner was not arraigned for trial in conformity with the provisions of the act approved January 31, 1860, which necessarily obliged Judge William G. Blackwood, under another provision of the same act, "to order and direct that a court shall be called and held for the trial of said cause.'

"The examination and commitment of Reyes Sanchez, as appears by a copy of the proceedings of the preliminary examination and first writ of commitment, now in the Sheriff's office of the County of Santa Fé, was on the 19th day of December, 1860. And the commitments specially direct that the prisoners Chas. Heppel and Reyes Sanchez shall be before the District Court of the County of Taos, at its ensuing

term, which will be held on the first Monday of April next,—thus showing premeditated intention, on the part of Judge Wm. G. Blackwood, of depriving the said prisoners of a right guaranteed to them, and defiantly setting at naught a mandatory law of the General Assembly of the Territory of New Mexico.

“The minority beg leave to further report, that they are not aware of any provision of law which renders the Legislative power of New Mexico subordinate to that of any Judge of a District Court.

“Heppel and Sanchez are still confined and denied an opportunity of a hearing before an impartial jury, which a just and humane law of this Territory wisely guarantees to all persons imprisoned on the charge of murder. One of the prisoners has been illegally confined for nearly four months, and will have to remain in prison for three months longer; and the other will have to remain until the same term of court, under the order of confinement, before justice can be vindicated.

“The minority of your committee further submit a copy of a letter, written the 2d of November, 1860, by Judge Wm. G. Blackwood, to the Attorney General Tompkins, relative to the matter above stated.

“The minority can not consider the majority report in any other light than as an attempt to evade the truth, and is made with the intention of misleading the House in regard to the principal facts set forth in this report.

“In view of these facts and of their incontrovertible nature, the minority of your Committee respectfully submit this report and recommend its adoption.”

“The ayes and noes being called on the adoption of the minority report, resulted as follows, to-wit:

Those who voted in the affirmative were Messrs. Baca, Borrego, Gallegos, Garcia of Bernalillo, Jaramillo, Keithly, Martinez, Mondragon, Pino, Rael, Sanchez, Valdez, Whitlock, and Mr. Speaker—14.

Those who voted in the negative were Messrs. Chavez y Perea, Chavez of Bernalillo, Garcia of Socorro, Kavanaugh, Lovato, Mestas, Roival, Salazar, and Trujillo—9.

So said minority report was adopted.

Whereupon, on motion of Mr. Kavanaugh, the House adjourned until to-morrow at 10 o'clock A. M.

FRIDAY, JANUARY 11, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

“The special committee to whom was referred a Memorial of the Council and House of Representatives to the Congress of the United States, ‘praying the establishment of two Military Posts—one on the Magdalena Puerto, at the Carriso, and the other on the Rio Puerco, on the eastern side of the Valle Mountain,’ report back a substitute, and recommended its passage; which, in the opinion of your committee, sets forth more minutely all the important points, and is addressed to the War Department, believing that to be the Department to which the matter properly belongs.”

Which report was adopted.

The special committee to which was referred a Joint Resolution and Memorial addressed to the President of the United States, which originated in the Council, “recommending Mr. John Ward to the appointment of Indian Agent,” reported in favor of the Memorial and Joint Resolution, and recommended its passage; which report was adopted.

On motion of Mr. Salazar, the rules were suspended, the said Memorial and Joint Resolution were read the third time and passed.

Mr. Whitlock then moved that the House resolve itself into Committee of the whole House, at 11 o'clock A. M., on “An Act relative to County Roads.” Agreed to.

A committee was then received from the Council, which presented the following entitled Council Bills, that had been passed by both Houses, for the Speaker's signature: “An Act creating and organizing the County of San Juan;” “A Joint Resolution providing for the appointment of a committee to draw up a ‘Bill providing for the pay of the Volunteers who served in the late campaign against the Navajo tribe;’” which act and joint resolution were signed by the Speaker.

Mr. Martinez then offered the following resolution:

“Whereas the House of Representatives of the Territory of New Mexico have indubitable evidence in the minority report of a special committee that an imperative and mandatory law of this Territory has been repeatedly nullified and not observed by Judge W. G. Blackwood, one of the Judges appointed by the Federal Government:

“ And whereas the only excuse that the said W. G. Blackwood has offered in the case of his disregard of a Legislative act, is mentioned in a letter addressed to the Attorney General of this Territory, pretending to have been written on the 2d day of November, 1860, fifty-four days after the imprisonment of Heppel, *which, if written at the time of its date*, in place of disculpating Judge Blackwood, serves as conclusive evidence against him of a decided determination to disregard the acts of this General Assembly, for the miserable opinion in said letter, as alluded to by the said Judge in a conversation, in which he promised to hold a special term of his court on the 20th day of November, 1860, for the trial of the ‘man Heppel,’ accused of murder, fifty-one days after his examination and order of commitment, which is otherwise provided by the statutes, which designate the manner of holding said special terms under the circumstances in which they may be necessary : Therefore,

“ Be it Resolved by the House of Representatives of the Territory of New Mexico, That a copy of the resolution authorizing the appointment of the committee and a copy of the report of the committee, including the action of the House thereon, be certified by the Speaker and Chief Clerk of the House, as true copies of the originals ; and when arranged in the manner aforesaid, that they be transmitted by the Governor of the Territory to the President of the United States, with the request that the appointment of William G. Blackwood, United States District Judge, be declared null, and that a successor be appointed in his place.”

On motion of Mr. Salazar, said resolution was referred to a special committee, composed of Messrs. Salazar, Pino, and Martinez.

Mr. Martinez then offered the following resolution :

Resolved, That the Committees of this House, to which have been referred the various Bills, Resolutions, or other matters that have been presented in this House, and have been so referred, be required to report thereon within the next succeeding three days, for the deliberation of this House.”

The ayes and noes being called on the adoption of said resolution, resulted as follows, to-wit :

Those who voted in the affirmative were Messrs. Baca, Borrego, Gallegos, Garcia of Bernalillo, Garcia of Socorro, Jaramillo, Kavanaugh, Keithly, Lovato, Martinez, Mondragon, Pino, Rael, Roival, Sanchez, Trujillo, Valdez, Whitlock, and Mr. Speaker—19.

Those who voted in the negative were Messrs. Chavez y Perea, Chavez of Bernalillo, Mestas, and Salazar—4.

So said resolution was adopted.

Mr. Lovato then introduced a Joint Resolution “tendering thanks to the brave and gallant Volunteers who have so gallantly contended against the savages of the Territory.

Said Joint Resolution was then read the first and second time, the rules being suspended for the purpose, and referred to a special committee, composed of Messrs. Kavanaugh, Garcia of Socorro, and Keithly.

Mr. Whitlock then introduced “An Act to repeal an Act entitled ‘An Act to protect Slave property in this Territory,’” which was read the first time, and laid on the table one day under the rules.

On motion of Mr. Whitlock, the House then adjourned until to-morrow at 10 o’clock A. M.

SATURDAY, JANUARY 12, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was read and approved.

The committee to present to His Excellency the Governor, for his signature and approval, the Bills and Joint Resolutions which originated in this House, reported that they had presented to the Governor “An Act prohibiting the remission of Prisoners from one County to another;” which report was adopted.

The Standing Committee on Counties, to which was referred “An Act giving jurisdiction to Probate Judges in criminal causes, and for other purposes,” reported in favor of said act and recommended its passage; which report was adopted.

The minority of the special committee, to which was referred “An Act amendatory of the Territorial and County Revenue,” reported in favor of the passage of said act, with the amendment made to the third section.

The majority of the committee to which was referred “An Act amendatory of the ‘Act relative to the Territorial and County Revenue,’” reported in favor of the passage of said act without amendment; which report was adopted.

The special committee to which was referred “An Act relative to the Clerks of the Probate Courts,” reported back a

substitute therefor, and recommended the passage thereof; which report was adopted.

Mr. Pino then offered the following resolution, which was adopted:

“Resolved by the House of Representatives, That the Chief Clerk of this House be required to request the Secretary of the Territory to furnish a convenient room for the use of the Committees of this body, in which to discharge their respective duties; and any expense that he may be at in fitting up said committee-room, shall be paid out of the funds appropriated for the contingent expenses of the Legislative Assembly.”

Mr. Sanchez then offered the following resolution:

“Resolved, That the act entitled ‘An Act prohibiting the obstruction of the Roads,’ be taken from the table and disposed of finally.”

Which resolution was adopted.

Whereupon, said act was then taken up and passed.

The House then resolved itself into a Committee of the Whole on “An Act to construct and repair County Roads,” and after a short sitting, rose, and through their chairman, Mr. Keithly, reported progress, and asked further time; which report was adopted.

“An Act repealing ‘An Act for the protection of Slave Property in this Territory,” was then read the second time.

On motion of Mr. Pino, said act was referred to the Committee of the whole House.

“An Act amendatory of ‘An Act relative to Territorial and County Revenue,” was then taken up, read the third time and passed.

“An Act giving jurisdiction to Probate Judges in criminal causes, and for other purposes,” was then read the third time; when, on motion of Mr. Salazar, it was laid on the table.

“An Act relative to the custody of Prisoners in Jail,” was then read the third time, when, on motion of Mr. Pino, was laid on the table for one day.

“An Act repealing ‘An Act approved February 4, 1857,’ and another ‘Act approved January 31, 1860,’ was then read the third time and passed.

“A Joint Resolution memorializing Congress for the establishment of a Judicial District composed of the Counties of Arizona and Doña Ana,” was then taken up and read the third time and passed.

A Memorial of the Legislative Assembly to the Secretary of War of the United States, was then read the third time and passed.

On motion of Mr. Keithly, the House then proceeded to take up the business on the Speaker's table.

A Council Joint Resolution "requesting the President of the United States to remove immediately Col. Fauntleroy and Governor A. Rencher, for their inactivity in the discharge of their duties," was then read the first and second time, by a suspension of the rules.

Mr. Salazar offered the following amendment: "That the name of James L. Collins be inserted in said resolution," and called for the ayes and noes on said amendment, which resulted as follows, to-wit:

Those who voted in the affirmative were Messrs. Chavez of Bernalillo, Lovato, Mestas, Roival, Salazar, and Trujillo—6.

Those who voted in the negative were Messrs. Baca, Borrego, Chavez y Perea, Gallegos, Garcia of Bernalillo, Garcia of Socorro, Kavanaugh, Keithley, Martinez, Mondragon, Pino, Rael, Sanchez, Valdez, Whitlock, and Mr. Speaker—15.

Whereupon, on motion of Mr. Pino, the said Preamble and Joint Resolution were then read the third time and passed.

On motion of Mr. Kavanaugh, the House then adjourned until Monday, the 14th inst., at 10 o'clock A. M.

MONDAY, JANUARY 14, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of Saturday, the 14th inst., was read and approved.

The majority of the committee to whom was referred "An Act repealing 'An Act uniting Precincts number 7 and 21 in the County of Taos,'" reported against the passage of said act, and the minority of the same committee reported in favor of the passage of said bill.

Mr. Rael proposed the adoption of the majority report, and the ayes and noes being called, the following was the result, to-wit:

Those who voted in the affirmative were Messrs. Chavez y Perea, Chavez of Bernalillo, Garcia of Socorro, Lovato, Mestas, Rael, Roival, Sanchez, Salazar, and Trujillo—10.

Those who voted in the negative were Messrs. Baca, Borrego, Gallegos, Garcia of Bernalillo, Jaramillo, Keithly, Martinez, Mondragon, Pino, Valdez, Whitlock, and Mr. Speaker—12.

So the House refused to adopt the majority report.

Whereupon, on motion of Mr. Mondragon, the minority report of said committee was then adopted.

Mr. Chavez y Perea then introduced "An Act incorporating the San Vicente Mining Company," which was read the first and second time, the rules being suspended for the purpose, and referred to the Committee on Mines.

Mr. Whitlock then introduced "An Act creating two additional Precincts in the County of San Miguel;" which was read the first and second time, the rules being suspended for the purpose, and referred to a Special Committee composed of Messrs. Mestas, Whitlock, and Martinez.

Mr. Lovato then introduced "An Act establishing a Police," which was read the first and second time, and referred to the Committee of the whole House.

"An act repealing an Act uniting Precincts number 7 and 21, in the County of Taos," was then read the third time and passed.

Mr. Chavez y Perea then introduced a Memorial addressed to the Congress of the United States, requesting an appropriation to aid the poor; which was read the first and second time, and referred to the Committee on Territorial Affairs.

On motion of Mr. Keithly, the House then proceeded to take up the business on the Speaker's table.

A Council Bill entitled "An Act to prevent the Indians from committing damages in the fields and ranches of the inhabitants of this Territory; which (the rules being suspended for the purpose) was read the first and second time, and referred to the Committee on Roads and Acequias.

A Memorial, asking for the construction of a Military Road from St. Joseph, in the State of Missouri, to Abiquiú, in New Mexico," was then read the first and second time, by a suspension of the rules, and referred to the Committee on Roads.

"An Act incorporating the Rio del Norte Bridge Company," was then read the second time, and referred to the Committee on Internal Improvements.

"An Act providing for the approval of Acts" was then read the first, second and third time, and passed.

"A Preamble and Joint Resolution relative to Mail service from Independence to Santa Fé," was then read the first,

second and third time, by a suspension of the rules, and passed.

“An Act fixing the time and place of holding the District Courts in the several Counties,” was then read the first and second time, and referred to a Special Committee composed of Messrs. Whitlock, Garcia of Socorro, and Martinez.

The Council concurred in the passage of House Bill entitled “An Act to incorporate the Rio Grande Bridge Company.”

A message was read from His Excellency the Governor, giving his reason for refusing to approve ‘An Act which originated in this House, entitled “An Act for the relief of Wm. A. Bransford, as Sheriff of Mora County;”’ which message, together with said act, were referred to a Special Committee composed of Messrs. Pino, Whitlock, Kavanaugh, Lovato, and Garcia of Bernalillo.

When, on motion of Mr. Kavanaugh, the House adjourned until to-morrow, at 10 o’clock A. M.

TUESDAY, JANUARY 15, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was read and approved.

The Standing Committee on Mines and Public Lands, to which was referred “An Act incorporating the San Vicente Mining Company,” reported against the passage of said act; which report was adopted.

The Standing Committee on Roads and Ditches, to which was referred “An Act amendatory of an Act to prevent the Indians from damaging the Fields and Ranches of the inhabitants of this Territory, with their mules and horses, approved January 13, 1860,” reported in favor of said act and recommended its passage.

Mr. Chavez y Perea then offered the following resolution:

“Resolved, by the House of Representatives of the Territory of New Mexico, That a committee of three members of this House be appointed by the Speaker to request His Excellency the Governor to furnish this House with the letter, or a copy thereof, which he wrote to the Secretary of State, on which was founded the answer of the Secretary of State, and which was published in the Santa Fé Gazette.”

Whereupon, a committee was appointed composed of Messrs. Chavez y Perea, Kavanaugh, and Roival.

Mr. Lovato then introduced "An Act amendatory of the Militia Law of this Territory, and for other purposes," which was read the first and second time, the rules being suspended for the purpose, and referred to the Committee of the whole House.

Mr. Garcia of Bernalillo introduced "An Act concerning Indians," which was read the first and second time, the rules being suspended for the purpose, and referred to the Committee of the whole House.

"An Act amendatory of an Act to prohibit Indians from damaging the fields of the inhabitants of this Territory, with their mules and horses, approved January 13, 1860," was read the third time and passed.

On motion of Mr. Garcia of Socorro, the following entitled acts were taken from the table to be finally acted upon :

"An Act giving jurisdiction to Probate Judges in Criminal Causes, and for other purposes," was then passed;

"An Act relative to the Clerks of the Probate Courts," was then passed;

"An Act relative to Prisoners in Jail," which, on motion of Mr. Garcia of Socorro, was rejected.

On motion of Mr. Lovato, the business on the Speaker's table was then taken up.

The Legislative Council concurred in the passage of a House Bill "relative to Revenue, Justices of the Peace, and Constables."

The Council concurred in the passage of a House Joint Resolution "relative to the formation of a Fourth Judicial District, composed of the Counties of Doña Ana and Arizona."

A Council Bill "creating the office of Attorney General and two District Attorneys," was then read the first and second time, the rules being suspended for the purpose, and referred to the Standing Committee on Judiciary.

"An Act incorporating the Santa Fé Fire Company" was then read the first and second time, the rules being suspended for the purpose, and referred to the Standing Committee on Counties.

A communication from His Excellency the Governor was then read, recommending the Council and House of Representatives to repeal "An Act approved February 9, 1854," which was laid on the table one day under the rules.

A communication from His Excellency the Governor,

which had been laid over, in answer to a requisition from this House, requesting him to furnish this House with copies of his correspondence with the several departments of the Federal Government relative to the Indian affairs of this Territory during the last year, was then read and referred to the standing Committee on Counties.

On motion of Mr. Garcia of Socorro, the House then adjourned until to-morrow, at 10 o'clock A. M.

WEDNESDAY, JANUARY 16, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

A committee was then received from the Legislative Council, who presented to the Speaker, for his signature, the following entitled acts that had passed both Houses:

An Act providing for the approval of Acts ;

A Memorial and Joint Resolution on the subject of Mail service from Independence to Santa Fé ;

A Memorial and Joint Resolution addressed to the President of the United States ;

Which were then signed by the Speaker.

The Standing Committee on Roads and Acequias, to which was referred a " Memorial addressed to the Congress of the United States, praying the construction of a Military Road from St. Joseph, Mo., to Abiquiú, in the Territory of New Mexico," reported in favor of the passage of said Memorial ; which report was adopted.

The Standing Committee on Internal Improvements, to which was referred " An Act incorporating the Rio del Norte Bridge Company," reported in favor of the passage of said act ; and,

On motion of Mr. Pino, the rules being suspended for the purpose, the said act was then read the third time and passed.

On motion of Mr. Lovato, the House then resolved itself into Committee of the Whole, with Mr. Lovato in the chair, on " An Act amendatory of the Militia Law of the Territory, and for other purposes."

The committee, after having considered said act, recommend that it be referred to a Special Committee to be composed of one member from each county ; which report was adopted.

Whereupon the chair appointed on said committee, Messrs. Lovato, Whitlock, Mestas, Martinez, Roival, Valdez, Sanchez, Chavez y Perea, and Garcia of Socorro.

The Special Committee to which was referred "An Act amendatory of the Executive Law," reported to the House that they had had said act under consideration, and recommended the accompanying substitute of the following title: "An Act facilitating the collection of Debts," and recommend the passage of said substitute.

Mr. Pino moved that the report, together with the substitute, lie upon the table indefinitely; and the ayes and noes being called, said motion was not adopted the vote being 13 to 7.

Mr. Pino then moved to refer the said report and substitute to a Special Committee; which motion was lost by a vote of 13 to 5.

On motion of Mr. Keithly, the said report was adopted by a vote of 16 to 5.

"An Act repealing 'An Act approved January 26, 1860,' " was then read the first and second time, by a suspension of the rules, and referred to a committee composed of one member from each county, to-wit: Messrs. Chavez y Perea, Martinez, Salazar, Mestas, Rael, Pino, Sanchez, Garcia of Bernalillo and Baca.

Mr. Martinez then introduced "An Act relative to suits brought before Justices of the Peace," which was read, on a suspension of the rules, the first and second time, and referred to the Committee on Judiciary.

The Committee on Judiciary, to which was referred "An Act creating the offices of an Attorney General and two District Attorneys," by leave, reported the said act back to the House with amendments, and recommended its passage;

When, on motion of Mr. Pino, the rules being suspended for the purpose, the said act was read the third time, and passed as amended.

On motion of Mr. Borrego, the House then adjourned until to-morrow, at 2 o'clock P. M.

THURSDAY, JANUARY 17, 1861.

The House met pursuant to adjournment, and, there being a majority present, proceeded to business.

The journal of yesterday was then read and approved.

Mr. Pino moved the vote on the report of the committee

recommending the passage of "An Act facilitating the collection of Debts" be reconsidered;" which said motion was adopted.

The Committee on Enrolled Bills, to which was referred a "Memorial to Congress asking for the formation of a Judicial District, to be composed of the Counties of Doña Ana and Arizona," reported that they had examined the same and find it correctly enrolled; which report was adopted.

The Committee on Judiciary, to which was referred "An Act relative to suits brought before Justices of the Peace," reported in favor of the passage of said act; which report was adopted.

The Special Committee to which was referred "An Act creating two additional Precincts in the County of San Miguel," reported in favor of the passage of said act; which report was adopted.

The Special Committee, to which was referred a "Preamble and Resolutions relative to Volunteer campaigns against the Navajo tribe," reported in favor of the passage of said resolutions; which report was adopted.

On motion of Mr. Lovato, the rules being suspended for the purpose, the said resolutions were then read the third time and passed.

Mr. Kavanaugh then presented a petition from the inhabitants of Pecos, in the County of San Miguel, asking to be annexed to the county of Santa Fé.

Mr. Kavanaugh then introduced "An Act changing the Eastern and Southern limits of San Miguel County;" which was read the first time, and laid on the table one day under the rules.

Mr. Chavez y Perea then introduced "A Preamble and Resolutions asking the Secretary of War to change the name of Fort Fauntleroy to that of McLane, or to some other not odious to the country;" which preamble and resolutions were read the first, second and third time, and passed.

The Special Committee to which was referred a "Memorial to the Congress of the Union, praying an appropriation for the relief of the poor in the Territory," reported back a substitute for the same object, which report was adopted; and,

On motion of Mr. Lovato, the rules being suspended for the purpose, the said memorial was read the third time and passed.

"An Act relative to suits before Justices of the Peace" was then read the third time; when, on motion of Mr. Salazar, said act was rejected by a vote of 13 to 6.

Those who voted in the affirmative were Messrs. Chavez

y Perea, Jaramillo, Gallegos, Kavanaugh, Keithly, Lovato, Mestas, Rael, Roival, Salazar, Trujillo, Valdez, and Mr. Speaker—13.

Those who voted in the negative were Messrs. Baca, Borrego, Garcia of Bernalillo, Martinez, Mondragon, and Pino—6.

“An Act creating two additional Precincts in the County of San Miguel,” was then read the third time and passed.

“A Memorial, addressed to the Congress of the Union, asking for the construction of a Military Road from St. Joseph, in the State of Missouri, to Abiquiú, New Mexico,” was then read the third time and passed.

On motion of Mr. Keithly, the House then proceeded to take up the business on the Speaker's table.

“An Act relative to the working of Public Acequias” was then taken up and read the first and second time, and referred to a Special Committee composed of Messrs. Gallegos, Lovato, and Salazar.

“An Act amendatory of an Act of the 14th of July, 1851,” (page 16,) was then taken up and read the first time, and laid on the table for one day under the rules.

“An Act authorizing the Governor to appoint Probate Judges and Sheriffs in the Counties of Doña Ana and Arizona, and for other purposes,” was then taken up and read the first time, and laid on the table one day under the rules.

“An Act relative to the Auditor of Public Accounts” was then taken up and read the first time, and laid on the table one day under the rules.

The Council concurred in the passage of House Bills of the following titles, to-wit:

An Act relative to Justices of the Peace who fail to recognize Witnesses in criminal causes ;

An Act relative to Appeals from sentences of Justices of the Peace ;

An Act prescribing the duties of persons who give Balls ;

An Act amendatory of the pay of Interpreters of Courts ;
and

A Memorial addressed to the Secretary of War, asking for the establishment of two Military Forts.

A communication from the Council was then read informing this House that Messrs. Cabeza de Baca and Hubbell had been appointed on the part of the Council, to act with the House committee, to draw up a “ Bill relative to the pay of the Volunteers.”

A message from His Excellency the Governor, recommending the repeal of "An Act approved February 9, 1854, relative to the Supreme Court," was then taken up, and, on motion of Mr. Keithly, said message was laid on the table.

On motion of Mr. Kavanaugh, the House then adjourned until to-morrow, at 10 o'clock A. M.

FRIDAY, JANUARY 18, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

The Speaker then signed acts of the following titles, which originated in the Legislative Council, and had been passed by both Houses, to-wit:

A Joint Resolution approving the conduct of the General Convention, and asking the President to remove immediately Col. Fauntleroy and Gov. A. Rencher, for inactivity and negligence in the discharge of their duties;

An Act uniting Precincts 7 and 21, in the County of Taos;--
and a House

Joint Resolution memorializing Congress to form a Judicial District, to be composed of the Counties of Doña Ana and Arizona.

Mr. Valdez then presented a Petition praying the passage of "An Act adopting Maria de la Luz, as daughter of Vicente Valdez;" which Petition was referred to a special committee, composed of Messrs. Kavanaugh, Jaramillo, and Lovato.

The special committee to which was referred "An Act authoring the establishment of Montes de Piedad, reported in favor of the passage of said act, with the following amendments, to-wit:

1st, that the third section be stricken out; 2d, that the sixth section be stricken out and the following be substituted:

"Section 6. That all owners of Montes de Piedad shall have the right, when the money loaned shall become due, to give notice to the party that the time has expired, he being near or present; and by virtue of such notice, if he shall not pay the principal and interest, the owner of the Monte de Piedad shall have the right of the use of the article or articles which shall have been pawned to him, in such manner as he may deem convenient."

Which report was adopted.

The Committee on Enrolled Bills reported that they had carefully examined "An Act incorporating the Rio Grande Bridge Company," and "An Act concerning Revenue, Justices of the Peace, and Constables," and found them correctly enrolled; which acts were then signed by the Speaker.

Mr. Lovato then offered the following resolution:

"Be it Resolved by the House of Representatives of the Territory of New Mexico, That a committee of five members of this House be appointed by the Speaker to inquire into the official conduct observed by William A. Davidson, Judge of the Third Judicial District of this Territory, and present to this House very minutely a report of all his official proceedings, of the legality of his oath, and the Judge who administered it; all which they will make an exact report to this House for its information."

Which resolution was adopted, and the Speaker appointed on said committee Messrs. Lovato, Whitlock, Chavez of Valencia, Gallegos, and Rael.

Mr. Chavez y Perea then introduced "An Act relative to Debtors and Creditors;" which was read the first time.

Mr. Kavanaugh moved the rules be suspended in order that the act be read the second time. Not agreed to.

Mr. Martinez then introduced "An Act to repeal 'An Act of Limitations,' and 'An Act relative to Depositions,' approved February, 1858;" which was read the first and second time on a suspension of the rules.

Mr. Borrego then introduced "An Act requiring Indian Agents or Sub-Agents to distribute presents to Indians in conformity with the provisions of this act, and for other purposes;" which was read the first time, and laid on the table one day under the rules.

"An Act relative to the Auditor of Public Accounts" was then read the second time.

"An Act authorizing the Governor to appoint Judges of Probate and Sheriffs for the Counties of Doña Ana and Arizona, and for other purposes," was then read the second and third time, the rules being suspended for the purpose, and passed.

"An Act repealing an Act of the 14th of July, 1851," (page 169,) was then read the second time, and referred to a committee composed of one member from each county, to-wit: Messrs. Pino, Borrego, Salazar, Mestas, Rael, Sanchez, Garcia of Bernalillo, Sanchez y Perea, and Baca.

"An Act changing the eastern and southern limits of the County of Santa Fé," was then read the second and third time, and passed.

"An Act authorizing the establishment of Montes de Piedar," was then read the third time and passed.

"An Act to facilitate the collection of Debts," was then read the third time, when Mr. Pino offered the following amendment:

"Provided, that when sentence shall be given against any debtor, or after an execution shall have been issued, such debtor shall not have applied to the authority before whom he was sued, and filed an oath with a list by which he sets forth or shows all the property he possesses, either real, moveable, moneys, or credits, in such case said execution shall run against his body, and he shall be placed in the county jail until he shall make such inventory; and when he shall be ready to make it, it shall be the duty of the officer, to whom the execution was issued, to bring him before the authority that tried the cause immediately, and having taken the oath as provided he shall be immediately discharged."

Which amendment was adopted; and the said act rejected, the vote on its passage being equal.

Those who voted in the affirmative were Messrs. Baca, Borrego, Garcia of Bernalillo, Keithly, Lovato, Martinez, Mondragon, Rael, Whitlock, and Mr. Speaker.

Those who voted in the negative were Messrs. Chavez y Perea, Chavez of Bernalillo, Gallegos, Jaramillo, Kavanaugh, Pino, Roival, Salazar, Trujillo, and Valdez.

On motion of Mr. Whitlock, the business on the Speaker's table was then taken up.

"An Act to increase and augment the water in the Santa Fé River" was then taken up, read the first, second and third time, the rules being suspended for the purpose, and passed.

"An Act providing for the incorporation of Cemetery Associations in the County of Taos," was then taken up and read the first time. Mr. Salazar moved said act be laid on the table indefinitely; and the ayes and noes being called, it was decided in the negative.

Those who voted in the affirmative were Messrs. Gallegos, Jaramillo, Rael, Roival, Salazar, Trujillo, and Valdez.

Those who voted in the negative were Messrs. Baca, Borrego, Chavez y Perea, Chavez of Bernalillo, Garcia of Bernalillo, Keithly, Lovato, Martinez, Mondragon, Pino, Whitlock, and Mr. Speaker.

On motion of Mr. Martinez, said act was then read the second, time and referred to the Committee on Counties.

On motion of Mr. Baca, the House then adjourned until to-morrow at 2 o'clock P. M.

SATURDAY, JANUARY 19, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

The Special Committee charged to draw up a Memorial to the Congress of the Union, praying an appropriation to keep up a Regiment of Mounted Volunteers in this Territory, for the purpose of chastising the Navajo tribe who are daily committing depredations upon the country, reported in favor of the accompanying memorial; which report was adopted.

The Special Committee to which was referred the petition of Vicente Valdez, reported that they had examined the said petition, and believing the prayer of said petition to be just, recommended the passage of the accompanying act entitled "An Act declaring the adoption of Maria de la Luz, on solicitude of Vicente Valdez," which report was adopted, and said act, the rules being suspended for the purpose, was then read the first, second and third time, and passed.

"An Act relative to Debtors and Creditors" was then read the second time.

Mr. Salazar then moved to amend said act by adding to the first section the following proviso:

"Provided further, That all the clothing of his neighbor or neighbors whom he shall esteem, the person in execution shall be exempted from execution."

Mr. Lovato offered the following amendment to said act:

"Provided further, There shall also be exempted from execution, at least, two goats and their young, and also all the old and young goats, old and young sheep, and all the old and young hogs; and besides, shall give him a receipt in full, as plenary indulgence for all future indebtedness."

Mr. Chavez y Perea moved the said amendments be laid on the table indefinitely; and the ayes and noes being called, the motion to lay on the table indefinitely was lost by an equal vote.

Those who voted in the affirmative were Messrs. Baca, Borrego, Chavez y Perea, Garcia of Bernalillo, Kavanaugh,

Keithly, Martinez, Mondragon, Mestas, Pino, and Whitlock.

Those who voted in the negative were Messrs. Chavez of Bernalillo, Gallegos, Garcia of Socorro, Jaramillo, Lovato, Rael, Roival, Salazar, Trujillo, Valdez, and Mr. Speaker.

Mr. Salazar then moved said amendments be adopted. Not agreed to.

Many other amendments were offered to said act, and adopted and the act so amended was read the third time, the rules being suspended for the purpose, when Mr. Borrego moved that the House do now adjourn until next Monday at 10 o'clock A. M.; which was not agreed to.

Whereupon, on motion of Mr. Rael, the "Act relative to Debtors and Creditors" was then passed as amended, by a vote of 14 to 8.

Those who voted in the affirmative were Messrs. Baca, Chavez of Bernalillo, Gallegos of Bernalillo, Garcia of Socorro, Keithly, Lovato, Pino, Rael, Roival, Salazar, Trujillo, Valdez, Whitlock, and Mr. Speaker.

Those who voted in the negative were Messrs. Borrego, Chavez y Perea, Garcia of Bernalillo, Jaramillo, Kavanaugh, Martinez, Mondragon, and Mestas.

Mr. Keithly then moved that the House resolve itself into a Committee of the Whole on Monday next, for the purpose of taking into consideration the unfinished business; not agreed to.

"An Act requiring the Indian Agents and Sub-agents to distribute such presents as may be intended for the Indians in accordance with the provisions of this Act," was then read the second time.

"An Act repealing an Act of Limitations and an Act relative to Depositions," approved February, 1858, was then read the second time.

"An Act relative to the Auditor of Public Accounts" was then read the third time, and remained on the table with the unfinished business.

The Speaker then appointed the following committee, composed of Messrs. Lovato, Pino, and Gallegos, to act with a similar committee from the Council to draw up a Bill for the payment of the Volunteers.

On motion of Mr. Garcia of Socorro, the House then adjourned until Monday next, at 10 o'clock A. M.

MONDAY, JANUARY 21, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of Saturday last, the 19th instant, was then read and approved.

The Standing Committee on Counties, to which was referred "An Act repealing an Act of Limitations, and an Act relative to the taking of Depositions," approved February, 1858, reported in favor of the passage of said act; which report was adopted.

The Standing Committee on Enrolled Bills reported that they had examined "An Act defining the duties of persons giving Balls," "An Act reforming the pay of Interpreters of Courts," "An Act relative to appeals from sentences of Justices of the Peace," and "A Memorial addressed to the Secretary of War, asking for the establishment of two Military Forts," and found them correctly enrolled.

The Special Committee to which was referred "An Act amendatory of an Act of July 14, 1851," (on page 169,) reported against the passage of said Act, which report was adopted.

The majority of the Committee on Counties, to which was referred "An Act incorporating the Cemetery Association in the County of Taos," reported in favor of the passage of said Act, which report was adopted.

The majority of the Special Committee to which was referred a Preamble and Joint Resolution of this House, requesting the President of the United States to remove immediately the Hon. W. G. Blackwood, Judge of the Second Judicial District of this Territory, reported in favor of the passage of said Preamble and Joint Resolution, as follows, to wit:

"The majority of the Select Committee to which was referred a Resolution asking the President of the United States that Wm. G. Blackwood, United States District Judge in this Territory, be removed from his office and a successor be appointed in his place, beg leave of this Hon. House to report that they have had said Resolution under consideration, and that the Committee find themselves compelled, although with regret, to inform this Hon. body, that the matters set forth therein do not manifest anything else but a true state of the facts, and therefore the request for the removal of W. G. Blackwood is founded upon justice; and at the same time, in our humble opinion, this will serve in future as an exam-

ple to our other officers, both Federal and Territorial, that our laws should be respected, and in no manner trampled under foot, and, in case any one should fail to comply with them, the Legislative Assembly will provide such means as may be in their power to remedy such evils. Further, it is regretted by the Committee that the report which gave rise to this resolution, as also the resolution itself, was not published in the Gazette which is published in this capital; and at the same time request the Hon. Secretary of the Territory, to order printed 500 copies in Castillian, and 250 in English, the cost thereof to be taken from the appropriation for Legislative purposes; and when so printed they be transmitted to this House, in order that through the Representatives they may be distributed among the people of this Territory, as also in all the American Union.

All of which the majority of the Committee submits to the to the deliberation of this Hon. body, with due respect.

[Signed]

MIGUEL E. PINO,

JOSÉ A. MARTINEZ,

The majority of the Committee.

The minority of the Committee reported against the passage of said Preamble and Joint Resolutions.

On motion of Mr. Salazar, the minority report was then taken up, which report was rejected by a vote of 14 to 6.

Those who voted in the affirmative were Messrs. Chavez y Perea, Garcia of Socorro, Mestas, Roival, Salazar, and Trujillo.

Those who voted in the negative were Messrs. Baca, Borrego, Garcia of Bernalillo, Gallegos, Jaramillo, Keithly, Lovato, Martinez, Mondragon, Pino, Rael, Valdez, Whitlock, and Mr. President.

On motion of Mr. Martinez, the majority report was taken up.

Mr. Salazar then moved to amend the title of said Preamble and Resolution, recommending that it be entitled a Joint Resolution; which amendment was rejected, and the ayes and noes being called on the adoption of the majority report, it was adopted by a vote of 13 to 7. So said report was adopted.

The ayes and noes being called on the passage of said Preamble and Resolution, resulted as follows, to wit:

Those who voted in affirmative were Messrs. Baca, Borrego, Jaramillo, Keithly, Lovato, Martinez, Mondragon, Pino, Rael, Valdez, Whitlock, and Mr. Speaker.

Those who voted in the negative were Messrs. Chavez y Perea, Garcia of Bernalillo, Garcia of Socorro, Mestas, Roival, Salazar, and Trujillo.

So said Preamble and Resolution were passed.

Mr. Chavez y Perea then introduced "An Act incorporating a Wool Manufacturing Company," which was read the first time and laid on the table one day under the rules.

Mr. Keithly then introduced "An Act to incorporate the San Miguel Wool Manufacturing Company," which was read the first time, and laid on the table one day under the rules.

On motion of Mr. Borrego, the House adjourned until 3 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

"An Act providing for the incorporation of a Cemetery Association in the County of Taos," was then read the third time; and the question being put, "shall said act pass?" it was decided in the affirmative by a vote of 11 to 9.

Those who voted in the affirmative were Messrs. Baca, Borrego, Chavez y Perea, Garcia of Bernalillo, Garcia of Socorro, Keithly, Martinez, Mondragon, Pino, Valdez, and Whitlock.

Those who voted in the negative were Messrs. Gallegos, Jaramillo, Lovato, Mestas, Rael, Roival, Salazar, Trujillo, and Mr. Speaker.

"An Act repealing an Act of Limitations, and an Act relative to Depositions, approved February, 1858," was then read the third time and rejected.

On motion of Mr. Whitlock, the business on the Speaker's table was then taken up.

A message from His Excellency the Governor was then read, accompanied with his letter to the Secretary of State, and the Secretary's answer thereto, relative to the Volunteers organized under a call of a Convention held last August in Santa Fé.

On motion of Mr. Pino, the rules were suspended, and said communications were taken under consideration.

Mr. Pino then offered the following resolution:

"Resolved, That the Secretary of the Territory be respectfully requested to have three hundred copies of said communication printed in Castillian, and one hundred printed in English, as soon as possible; together with the communication of His Excellency addressed to the Secretary of State,

under date 4th Sept., 1860, and the answer thereto, under date 1st October, 1860, relative to the Volunteers organized against the Navajo tribe; and that the Chief Clerk transmit to the Secretary of the Territory a copy of all for said object."

Which resolution was unanimously adopted.

"An Act providing for the call of a Convention of the people of this Territory, to draw up a Constitution for a State Government, and for other purposes," was then read the first time, and laid on the table one day under the rules.

"A Preamble and Resolutions relative to the appointment of a Joint Committee, whose duty it shall be to investigate into the present condition of the Capitol; from what cause the work was stopped, and when; what materials are on hand, and if any use has been made thereof;" were then read the first, second and third time and passed, the rules being suspended for the purpose.

"An Act to incorporate the Motezuma Copper Mining Company of Santa Fé, New Mexico," was then, by a suspension of the rules, read the first, second and third time, and passed.

"An Act amendatory of the Law on Testaments," was then, by a suspension of the rules, read the first, second and third time, and passed.

Mr. Whitlock then moved that the House do now adjourn until to-morrow, at 9 o'clock A. M.

Not agreed to.

The Council concurred in the passage of acts of the following titles, to-wit:

"An Act declaring the adoption of Maria de la Paz, by request of Vicente Valdez," and, "An Act reforming the Law relative to Territorial and County Revenues," with an amendment.

Mr. Pino moved a Committee of Conference be appointed by the Speaker of this House, to confer with a similar committee from the Council, on said amendment to said act; which motion was adopted.

The chair appointed on said committee Messrs. Pino, Keithly, and Garcia of Socorro.

The Standing Committee to present Acts passed by both Houses to His Excellency the Governor, reported that they had delivered to him acts of the following titles, to-wit:

An Act incorporating the Rio Grande Bridge Company;
A Joint Resolution and Memorial to Congress, asking for the formation of a Judicial District composed of the counties of Doña Ana and Arizona;

An Act concerning Revenue, Justices of the Peace, and Constables ;

An Act relative to Appeals from Justices of the Peace ;

An Act reforming the pay of Interpreters of Courts ; and,
A Memorial to the Secretary of War of the United States,
asking the establishment of two Military Posts.

The Speaker then signed the following entitled Council Bills, that had been passed by both Houses, to-wit :

An Act creating the office of Attorney General and two District Attorneys ;

An Act incorporating the Rio Grande Bridge Company ; and,

An Act amendatory of an Act to prevent Indians from injuring with animals the Fields of the inhabitants of the Territory, approved January 13, 1860.

The Speaker then signed the following entitled House Bills, which had passed both Houses:

A Memorial to the Secretary of War, asking for the establishment of two Military Posts ;

An Act relative to Appeals taken from sentences of Justices of the Peace ;

An Act reforming the pay of Interpreters in Courts ; and,

An Act defining the duties of persons giving Balls.

On motion of Mr. Pino, the House then adjourned until to-morrow, at 2 o'clock P. M.

TUESDAY, JANUARY 22, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

The Committee on Counties, to which was referred "An Act to incorporate the Santa Fé Fire Company," reported in favor of the passage of said act ; which was adopted.

The Committee on Enrolled Bills reported that they had examined "An Act relative to Justices of the Peace who fail to recognize witnesses in Criminal cases," and find it correctly enrolled."

Said act was then signed by the Speaker.

Mr. Borrego then introduced "An Act to incorporate the Pious Fraternity of the County of Taos ;" which was read the first time, and laid on the table one day under the rules.

Mr. Gallegos of Rio Arriba then introduced "An Act authorizing Volunteer Campaigns and Guerrillas," which was

read the first and second time, by a suspension of the rules, and referred to a Special Committee composed of Messrs. Lovato, Martinez, and Salazar.

“An Act to incorporate the New Mexico Wool Manufacturing Company,” was then read the second time, and referred to a Select Committee composed of Messrs. Rael, Chavez y Perea, and Whitlock.

“An Act to incorporate the San Miguel Wool Manufacturing Company,” was then read the second time; when, on motion of Mr. Whitlock, the said act was laid on the table.

“An Act providing for the calling of a Convention of the People of New Mexico, to form a State Constitution and Government, and for other purposes,” was then read the second time, and laid on the table one day under the rules.

A Message was then received from His Excellency the Governor, advising this House that he had approved and signed acts of the following titles:

An Act reforming the pay of Interpreters in Courts;

An Act concerning Revenue, Justices of the Peace, and Constables;

An Act defining the duty of persons giving Balls.

On motion of Mr. Salazar, the House then adjourned until to-morrow, at 10 o'clock A. M.

WEDNESDAY, JANUARY 23, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

The Standing Committee on Indian Affairs, to which was referred “An Act requiring Indian Agents or Sub-Agents to distribute any presents that may be for distribution among the Indians, to make such distribution according to the provisions of this act, and for other purposes,” reported in favor of said act and recommended its passage; which report was adopted.

The Special Committee to which was referred “An Act authorizing Volunteer and Guerrilla Campaigns,” reported in favor of said act and recommended its passage; which report was adopted, and the said act read the third time and passed.

The Special Committee to which was referred “An Act to incorporate the New Mexico Wool Manufacturing Company,”

reported in favor of said act, and recommended its passage ; which report was adopted.

Mr. Chavez of Bernalillo introduced a "Joint Resolution requesting the Secretary of the Territory to transmit certified copies" of all Memorials, Joint Resolutions and Resolutions of either House, passed by the present Legislature, to the Federal Congress, President of the United States, and to the various departments of the Union;" which was read the first time, and laid on the table one day under the rules.

Mr. Whitlock then introduced "An Act apportioning the Council and House of Representatives of the Legislative Assembly of the Territory of New Mexico ;" said act was read the first time, and laid on the table one day under the rules.

Mr. Pino then introduced "An Act providing the mode of apportioning the Representation in the election of members to the Legislative Assembly," which was read the first time, and laid on the table one day under the rules.

Mr. Lovato then introduced a "Joint Resolution relative to the printing of the Laws and Journals of the present Session," which was read the first time ; when Mr. Chavez y Perea offered the following amendment : "Strike out the words 'two hundred' and insert 'one thousand copies of the Journals:" which amendment was adopted.

Mr. Lovato then offered the following amendment : "After the word 'judicial' insert, 'and ministerial ;' " which amendment was adopted.

Mr. Salazar then offered the following amendment :

"Provided, further, That the Secretary of the Territory transmit to each of the Judges of Probate, the copies to correspond to each county for its members and officers, each county paying for the transportation thereof."

Which amendment was also adopted.

Said preamble and joint resolution was then read, the rules being suspended for the purpose, the second and third time, and passed.

"An Act incorporating the Pious Fraternity of Taos County," was then read the second time, and referred to a Special Committee composed of Messrs. Martinez, Garcia of Bernalillo, and Baca.

"An Act incorporating the Santa Fé (New Mexico) Wool Manufacturing Company," was then read the third time and passed.

"An Act incorporating the Santa Fé Fire Company," was then read the third time and passed.

"An Act requiring Indian Agents and Sub-Agents to dis-

tribute presents to Indians according to the provisions of this Act, and for other purposes," was then read the third time.

Mr. Chavez y Perea then offered to amend as follows: "That section five of said act be stricken out;" which amendment was adopted.

When, on motion of Mr. Mondragon, the said act passed.

On motion of Mr. Salazar, the business on the Speaker's table was then taken up.

The Legislative Council concurred in the passage of a "House Preamble and Joint Resolution;" with an amendment relative to the Volunteers.

"An Act incorporating the Rio del Norte Mining Company," was then taken from the Speaker's table and read the first time, and laid on the table one day under the rules.

"A Joint Resolution requiring both Houses to hold two Sessions each day," was then taken up and read the first time, and laid on the table one day under the rules.

"An Act creating an additional Precinct in the County of Mora," was then taken from the Speaker's table, read the first, second and third time, on a suspension of the rules for the purpose, and passed with an amendment.

"An Act requiring the discharge of official duties in the Supreme Court," was then taken from the Speaker's table and read the first time; when, on motion of Salazar, said act was rejected.

On motion of Mr. Chavez y Perea, the House then adjourned until to-morrow, at 10 o'clock A. M.

THURSDAY, JANUARY 24, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

The Special Committee to which was referred "An Act incorporating the Pious Fraternity of the County of Taos," reported in favor of said act and recommended its passage; which report was adopted.

The Special Committee to which was referred "An Act relative to the mode of working Public Acequias," reported in favor of said act, with the following amendments:

"Provided, further, That if in any of the Acequias already constructed, belonging to a community, the dam of

which shall have been destroyed, there shall be an agreement or contract with the owners thereof for the working of the same, then the same shall be complied with."

"In section four, instead of the words 'ten shall assemble,' insert 'five shall assemble;' and instead of the words 'number twenty-five,' insert 'number ten.'"

Which report, together with the said amendments, were adopted.

The Majority of the Committee of one member from each County, to which was referred "An Act repealing an Act approved Feb. 26, 1860," reported against said act.

The Minority of said Committee reported in favor of the passage of said act.

Mr. Garcia of Socorro moved the majority report be adopted. Not agreed to.

Those who voted in the affirmative were Messrs. Baca, Chavez y Perea, Chavez of Bernalillo, Garcia of Socorro, Keithly, Lovato, Mestas, Rael, and Whitlock—9.

Those voting in the negative were Messrs. Borrego, Gallegos, Garcia of Bernalillo, Jaramillo, Kavanaugh, Martinez, Mondragon, Pino, Sanchez, Salazar, Trujillo, Valdez, and Mr. Speaker—13.

Mr. Jaramillo then moved the Minority report of the said committee be adopted; which report was adopted.

Mr. Chavez y Perea then moved the House do now adjourn until 3 o'clock this afternoon. Not agreed to.

Mr. Salazar moved to take the business on the second reading; when, on motion of Mr. Garcia of Socorro, the House then adjourned until 4 o'clock P. M.

AFTERNOON SESSION.

"An Act repealing an Act approved February 26, 1860," was then read the third time; and, on motion of Mr. Pino, passed.

Mr. Lovato then offered the following resolution:

"Resolved, That the Chief Clerk of this House be required to request the honorable Secretary of the Territory to furnish a stove for the Representative Hall, for the reason that one of the chimneys has become useless, and is not sufficient for the members at this time, in consequence of the exceeding cold weather."

Mr. Pino, then introduced "An Act repealing an Act creating the office of Attorney General," which was read the first, second and third time, the rules being suspended for the purpose, and passed.

Mr. Pino then introduced "An Act increasing the salary of the Judge of Probate of the County of Santa Fé, at the Capital of the Territory of New Mexico;" which was read the first and second time, on a suspension of the rules, and referred to the Committee on Territorial Affairs.

Mr. Garcia of Bernalillo then introduced "An Act relative to Marriages;" which was read the first and second time, by a suspension of the rules, and referred to the Committee on Judiciary.

Mr. Whitlock then introduced "An Act defining Domestic Relations," which was read the first and second time, by a suspension of the rules, and referred to the Committee on Public Property.

On motion of Mr. Whitlock, a Bill entitled "An Act providing for a Convention of the People of New Mexico, for the purpose of forming a State Constitution and Government, and for other purposes," was acted on.

Mr. Salazar moved that said bill be referred to a committee of one member from each County; which motion was adopted.

Those voting in the affirmative were Messrs. Baca, Borrego, Garcia of Bernalillo, Garcia of Socorro, Lovato, Martinez, Mondragon, Mestas, Rael, Sanchez, Salazar, Trujillo, Valdez, and Mr. Speaker—14.

Those voting in the negative were Messrs. Chavez y Perea, Chavez of Bernalillo, Gallegos, Jaramillo, Pino, and Whitlock—6.

Mr. Gallegos of Santa Fé, having taken the floor, moved that the vote to refer said bill be reconsidered; when,

On motion of Mr. Salazar, the House then adjourned until Saturday next, the 26th instant, at 10 o'clock A. M.

SATURDAY, JANUARY 26, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of Thursday, 24th inst., was then read and approved.

The Standing Committee on Enrolled Bills, reported that they had examined the following entitled Bills, to-wit:

An Act declaring the adoption of Maria de la Paz, by solicitation of Vicente Valdez; and

A Preamble and Joint Resolution relative to the Volunteers;

And find them correctly enrolled.

Mr. Pino then offered the following resolution :

“Be it Resolved by the House of Representatives of the Territory of New Mexico, That this House sees with indignation the calumnies expressed by His Excellency, Governor A. Rencher, against the people of New Mexico, as may be seen in his official communication to the Hon. Secretary of State, by reason of the people of New Mexico having taken the defence of their property into their own hands.”

* * *

Which resolution was adopted ; and the Speaker appointed on said Committee Messrs. Pino, Chavez y Perea, and Lovato.

“An Act creating an additional Precinct in the County of Bernalillo,” was then read the second and third time; by a suspension of the rules, and passed.

“A Joint Resolution providing for two sessions of both Houses to be held each day,” was then read the second time, and referred to a Special Committee composed of Messrs. Garcia of Socorro, Martinez, and Roival.

“An Act incorporating the Mining Company of the North,” was then read the second time.

A Joint Resolution requesting the Secretary of the Territory to transmit certified copies of all Memorials, Joint Resolutions, and Resolutions of either House, passed at the present session, to the various departments of the Union,” was then read the second time.

“An Act to apportion the Council and House of Representatives of the Territory of New Mexico,” was then read the second time.

Mr. Pino moved said act be referred to the Committee of the whole House.

Mr. Whitlock offered the following amendment, “That said House resolve into Committee of the Whole on said act, on Monday next, at 11 o'clock A. M. ;” which amendment was not adopted.

Those voting in the affirmative were Messrs. Chavez y Perea, Garcia of Socorro, Keithly, Mestas, Rael, and Whitlock—6.

Those voting in the negative were Messrs. Baca, Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Jaramillo, Lovato, Martinez, Mondragon, Pino, Roival, Sanchez, Salazar, Trujillo, Valdez, and Mr. Speaker—16.

The motion of Mr. Pino to refer, was then adopted.

Those voting in the affirmative were Messrs. Baca, Borre-

go, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Jaramillo, Lovato, Martinez, Mondragon, Pino, Roival, Sanchez, Salazar, Trujillo, and Valdez—15.

Those voting in the negative were Messrs. Chavez y Perea, Garcia of Socorro, Keithly, Mestas, Rael, Whitlock, and Mr. Speaker—7.

“An Act providing the mode of distributing the Representation in the election for members to the Legislative Assembly,” was then read the second time.

Mr. Garcia moved said act be laid on the table indefinitely.

The Speaker then signed the following entitled acts, which originated in the Council, and had passed both Houses:

An Act amendatory of the Testament Law;

An Act incorporating the Montezuma Copper Mining Company of Santa Fé, New Mexico;

An Act incorporating the Cemetery Association of Taos County;

An Act establishing an additional Precinct in the County of Mora;

An Act incorporating the Santa Fé Fire Company; and

A Preamble and Joint Resolution relative to the Capitol.

The Speaker then signed the following entitled Bills, that originated in this House:

An Act declaring the adoption of Maria de la Paz, by solicitation of Vicente Valdez; and

A Preamble and Joint Resolution relative to the Volunteers.

Whereupon, on motion of Martinez, the House then adjourned until Monday next, at 10 o'clock A. M.

MONDAY, JANUARY 28, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of Saturday, 26th instant, was then read and approved.

The Standing Committee on Territorial Affairs, to which was referred “An Act increasing the salary of the Probate Judge of Santa Fé County, at the Capital of the Territory of New Mexico,” reported in favor of the passage of said bill, with the following amendment: “Strike out the word ‘Territory,’ in the first section, and insert the word ‘County;’” which amendment was adopted.

On motion of Mr. Pino, the rules were suspended, and the said bill was then read the third time and passed.

“An Act incorporating the Mining Company of the North,” and “An Act relative to the manner in which Public Acequias shall be worked,” were then read the third time and passed.

“An Act to incorporate the Pious Fraternity of the County of Taos,” was then read the third time; and the ayes and noes being called on the passage of said bill, resulted as follows, to-wit:

Those who voted in the affirmative were Messrs. Baca, Borrego, Chavez y Perea, Chavez of Bernalillo, Garcia of Bernalillo, Keithly, Lovato, Martinez, Mondragon, Rael, Salazar, Trujillo, Whitlock, and Mr. Speaker—14.

Those who voted in the negative were Messrs. Gallegos, Garcia of Socorro, Jaramillo, Mestas, Pino, Roival, Sanchez, and Valdez—8.

So said bill passed.

On motion of Mr. Pino, the business on the Speaker's table was then taken up.

The Legislative Council concurred in the passage of the following entitled House Bills, to-wit:

An Act creating two additional Precincts in the County of San Miguel;

An Act to incorporate the Pious Fraternity of Taos County ;”

An Act prohibiting the obstruction of Roads in their free travel ;”

An Act reforming the Law prohibiting Gaming; and

An Act incorporating a Wool Manufacturing Company of New Mexico ;

And rejected

An Act giving jurisdiction to Judges of Probate in Criminal Cases and Misdemeanors, and for other purposes.

“An Act providing for the payment of Mounted Volunteers,” was then taken up, read the second and third time, the rules being suspended for the purpose, and passed.

“An Act relative to the settlements of Truchas, Ojo Sarco, &c., in the County of Rio Arriba, was then read the first, second and third time, by a suspension of the rules, and passed.

“An Act incorporating the City of Mesilla, in the County of Doña Ana,” was then read the first time;

When, on motion of Mr. Lovato, the said act was rejected by a vote of 17 to 5.

Those who voted in the affirmative were Messrs. Baca, Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo,

Garcia of Socorro, Jaramillo, Keithly, Lovato, Martinez, Pino, Rael, Roival, Sanchez, Trujillo, Valdez, and Mr. Speaker—17.

Those who voted in the negative were Messrs. Chavez y Perea, Mondragon, Mestas, Salazar, and Whitlock—5.

“An Act amendatory of an Act providing additional Precincts in the County of Taos, passed by the last session of the Legislative Assembly,” was then read the third time, and passed.

“An Act providing for special terms of the District Courts, and for other purposes,” was then read the first and second time, by a suspension of the rules, and referred to the Committee on Judiciary, by a vote of 13 to 9.

Those who voted in the affirmative were Messrs. Baca, Borrego, Gallegos, Garcia of Bernalillo, Garcia of Socorro, Jaramillo, Martinez, Mondragon, Pino, Roival, Sanchez, Valdez, and Mr. Speaker—13.

Those who voted in the negative were Messrs. Chavez y Perea, Chavez of Bernalillo, Keithly, Lovato, Mestas, Rael, Salazar, Trujillo, and Whitlock—9.

On motion of Mr. Whitlock, “An Act incorporating the San Miguel Wool Manufacturing Company,” was then taken up and read the third time, and passed.

“An Act apportioning the members of the Council and House of Representatives of the Legislative Assembly,” which had remained pending on the 26th inst., on a motion to lie on the table indefinitely, was then taken up, and said motion being put, was lost by a vote of 17 to 5.

Those who voted in the affirmative were Messrs. Baca, Chavez y Perea, Keithly, Mestas, and Roival—5.

Those who voted in the negative were Messrs. Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Garcia of Socorro, Jaramillo, Lovato, Martinez, Mondragon, Pino, Roival, Sanchez, Salazar, Trujillo, Valdez, Whitlock, and Mr. Speaker—17.

Mr. Garcia moved said bill be referred to a Special Committee composed of one member from each County. Not agreed to.

Mr. Pino moved to amend said bill by striking out the 9th section; which was agreed to.

Mr. Garcia of Socorro offered the following amendment to said act: “That the County of Socorro elect four Representatives;” which amendment was rejected.

Mr. Chavez y Perea offered the following amendment to said act: “That the County of Santa Ana be allowed to elect

six Representatives and two Senators;" which amendment was rejected by a vote of 17 to 5.

Those who voted in the affirmative were Messrs. Baca, Chavez of Perea, Garcia of Socorro, Mestas, and Whitlock—5.

Those who voted in the negative were Messrs. Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Jaramillo, Keithly, Lovato, Martinez, Mondragon, Pino, Rael, Roival, Sanchez, Salazar, Trujillo, Valdez, and Mr. Speaker—17.

Mr. Chavez y Perea offered the following amendment to said act: "That the County of Bernalillo be allowed to elect six Representatives and four Senators, and that the Hon. Miguel Antonio Lovato be a perpetual member from said County;" which amendment was rejected by a vote of 19 to 3.

Those who voted in the affirmative were Messrs. Chavez y Perea, Mestas, and Whitlock—3.

Those who voted in the negative were Messrs. Baca, Borrego, Chavez of Bernalillo, Garcia of Bernalillo, Garcia of Socorro, Jaramillo, Keithly, Lovato, Martinez, Mondragon, Pino, Rael, Roival, Sanchez, Salazar, Trujillo, Valdez, and Mr. Speaker—19.

Mr. Garcia of Socorro moved a reconsideration of the above vote; which motion was lost by a vote of 17 to 5.

Those who voted in the affirmative were Messrs. Baca, Chavez, Garcia of Socorro, Mestas, and Mr. Speaker—5.

Those who voted in the negative were Messrs. Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Jaramillo, Keithly, Lovato, Martinez, Mondragon, Pino, Rael, Roival, Sanchez, Salazar, Trujillo, Valdez, and Mr. Whitlock—17.

Mr. Martinez moved the rules be suspended, in order that said act pass to its third reading; and two-thirds not having voted in the affirmative, said motion was lost.

Those who voted in the affirmative were Messrs. Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Jaramillo, Lovato, Martinez, Mondragon, Pino, Roival, Salazar, Trujillo, Valdez, and Mr. Speaker—14.

Those who voted in the negative were Messrs. Baca, Chavez y Perea, Garcia of Socorro, Keithly, Mestas, Rael, Sanchez, and Whitlock—8.

On motion of Mr. Rael, the House then adjourned until to-morrow, at 10 o'clock A. M.

TUESDAY, JANUARY 29, 1861.

The House met pursuant to adjournment, and, there being a majority present, proceeded to business.

The journal of yesterday was then read and approved.

The Committee on Indian Affairs, to which was referred the several reports directed to this House, of depredations committed by Indians, reported by a "Memorial addressed to the Congress of the Union, setting forth the suffering of the people of New Mexico, by the incursions of the Indians;" which was read the first and second time, by a suspension of the rules, and referred to a Select Committee composed of Messrs. Whitlock, Garcia of Bernalillo, and Lovato.

The Standing Committee (to present House Bills to His Excellency for his approval), reported that they had presented the following entitled Bills:

An Act requiring Justices of the Peace to recognize witnesses in Criminal Cases;

An Act declaring Maria de la Paz, as the adopted child of Vicente Valdez;

A Joint Resolution tendering thanks to all citizens who took up arms against the Navajo Indians.

The Committee on Enrolled Bills reported that they had examined acts of the following titles, to wit:

An Act creating two additional Precincts in San Miguel County;

An Act to prevent the Roads from being flooded and obstructed;

An Act relative to Clerks of the Probate Courts;

An Act incorporating the New Mexico Wool Manufacturing Company;

An Act incorporating the Taos County Pious Fraternity Company; and

An Act reforming the Law prohibiting Gaming.

A Committee from the Council then presented the following entitled Council Bills for the signature of the Speaker:

An Act relative to the settlements of the Truchas, Ojo Sarco, &c.;

An Act incorporating the Rio del Norte Mining Company; and

An Act relative to the manner of working Public Acequias;

Which were signed by the Speaker.

Mr. Lovato then introduced "An Act authorizing one Gaming House in each place of Mining," which was read;

and, on motion of Mr. Whitlock, was laid on the table indefinitely.

Mr. Pino then introduced "An Act to prevent Indian depredations;" which was read the first, second and third time, by a suspension of the rules, and passed.

Mr. Whitlock introduced "An Act incorporating the San Miguel Leather Manufacturing Company;" which was read the first, second and third time, by a suspension of the rules, and passed.

Mr. Martinez then introduced "An Act amendatory of the Election Law;" which was read the first and second time, by a suspension of the rules, and referred to the Committee on Privileges and Elections.

On motion of Mr. Garcia of Socorro, the business on the Speaker's table was taken up.

"A Preamble and Joint Resolution providing for the appointment of Commissioners to go to Washington," was read the first time.

On motion of Whitlock, the rules were suspended, and the said joint resolution was read the second time, and referred to a Special Committee composed of Messrs. Whitlock, Pino and Gallegos.

"A Joint Resolution relative to the final adjournment of the Legislative Assembly," was then read the first and second time, by a suspension of the rules.

Mr. Pino offered the following amendment to said resolution: "Strike out 'four o'clock in the afternoon,' and insert 'half past seven in the evening;'" which amendment was adopted.

On motion of Mr. Martinez, the rules were suspended, and said joint resolution was read the third time, and passed.

The Legislative Council concurred in the passage of a "House Joint Resolution relative to the publication of the Laws and Journals of the present Session;" and rejected a "House Bill repealing part of an Act creating the office of Attorney General."

On motion of Mr. Salazar, the House then adjourned until 4 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The Special Committee, to which was referred a "Memorial addressed to the Congress of the Union, setting forth the depredations committed by Indians, and for other purposes,"

reported in favor of the passage of said memorial, with accompanying amendments.

Which report was adopted; and the rules being suspended for the purpose, the said memorial was then read as amended, and passed.

The Special Committee to which was referred a "Joint Resolution providing for a joint session to be held in the Representative Hall, on the 29th inst., at 5 o'clock P. M., to appoint a Commissioner to visit the Capital of the Union, to confer with our Delegate on matters concerning the Territory," reported in favor of the passage of said joint resolution, with the following amendments:

"Strike out the words, 'Tuesday, the 29th inst., at 5 o'clock in the evening,' and insert, 'Wednesday, the 30th of January, 1861, M.' Strike out the words 'two Commissioners' and insert 'three Commissioners;' and, on the 2d page, strike out all after the word 'property,' to the words, 'your Commissioner,' inclusive."

Mr. Salazar moved to refer said report, together with the preamble and joint resolution and amendments, again to the same committee; which motion was lost by a vote of 14 to 7.

Those who voted in the affirmative were Messrs. Baca, Chavez y Perea, Garcia of Socorro, Lovato, Mestas, Salazar, and Trujillo.

Those who voted in the negative were Messrs. Borrego, Gallegos, Garcia of Bernalillo, Jaramillo, Keithly, Martinez, Mondragon, Pino, Rael, Roival, Sanchez, Valdez, Whitlock, and Mr. Speaker.

Mr. Garcia of Socorro then moved that said report, together with the preamble and joint resolution and amendments, be referred to a Special Committee; which was not agreed to.

Mr. Martinez then moved the said report of the committee and amendments be adopted; which was agreed to by a vote of 15 to 6.

Those who voted in the affirmative were Messrs. Baca, Borrego, Gallegos, Garcia of Bernalillo, Jaramillo, Keithly, Martinez, Mondragon, Pino, Rael, Sanchez, Salazar, Valdez, Whitlock, and Mr. Speaker.

Those who voted in the negative were Messrs. Chavez y Perea, Garcia of Socorro, Lovato, Mestas, Roival, and Trujillo.

Mr. Lovato then introduced a "Memorial asking an appropriation from the Congress of the Union, to support a regiment of Mounted Volunteers in this Territory, to act against the wild tribes that are committing depredations upon us;"

which, on a suspension of the rules, was read the first, second and third time, and passed.

Mr. Pino moved a suspension of the rules, in order to take up a "Preamble and Joint Resolution providing for a joint session in the Representative Hall, on the 29th inst., at 5 o'clock P. M., to elect a Commissioner to go to the Capital of the Union, to represent to the President and the other departments the suffering condition and our want of protection in New Mexico;" which was agreed to.

Mr. Salazar moved to take up the amendments on said preamble and joint resolution made by the committee.

The Speaker decided they had been adopted, together with the report of the committee.

Mr. Salazar appealed from the decision of the Speaker, and the ayes and noes being called, the chair was sustained by a vote of 12 to 7.

Those who voted in the affirmative were Messrs. Borrego, Gallegos, Garcia of Bernalillo, Jaramillo, Martinez, Mondragon, Pino, Rael, Roival, Sanchez, Valdez, and Whitlock.

Those who voted in the negative were Messrs. Baca, Chavez y Perea, Keithly, Lovato, Mestas, Salazar, and Trujillo.

Mr. Salazar then offered the following amendment:

"Provided, further, That in the lines stricken out insert, 'that the said Commissioners be empowered to dispatch Miguel Antonio Otero to the President,' and that there shall be six members instead of three."

Which amendment was rejected.

Mr. Chavez y Perea then offered the following amendment to the said joint resolution: "Strike out the words, 'Wednesday, 30th, M.,' and insert, 'Thursday, at half past seven in the evening.'"

Which amendment was rejected.

Mr. Garcia of Socorro offered the following amendment to the said preamble and joint resolution:

"Resolved, further, That said resolutions shall not take effect for the next four years coming, and their effect shall be from the year 1865."

Which amendment was rejected.

Mr. Chavez y Perea then offered the following amendment:

"That we also confer upon the said Commissioners the right to dispatch Gen. Winfield Scott, Commanding General of the United States Army, and also to bring with him all the money in the Treasury of the Government which may or may not be otherwise appropriated."

Mr. Garcia of Socorro offered the following amendment to the said amendment :

“That one half of the money be delivered to Candelario Garcia, and the other half to Francisco Chavez y Perea.”

Which amendment was accepted by Mr. Chavez y Perea.

Mr. Salazar then offered the following amendment to the foregoing amendment, as amended : “That Mr. Garcia shall let me have one-half of the money he may have delivered to him.”

Which amendment was accepted.

Whereupon, the amendments as amended were rejected.

On motion of Mr. Martinez, said preamble and joint resolution were then passed, as amended by the Committee.

Those who voted in the affirmative were Messrs. Borrego, Gallegos, Garcia of Bernalillo, Jaramillo, Keithly, Martinez, Mondragon, Pino, Rael, Roival, Sanchez, Salazar, Valdez, Whitlock, and Mr. Speaker—15.

Those who voted in the negative were Messrs. Garcia of Socorro, Lovato, Mestas, and Trujillo—4.

The Speaker then signed the following entitled House Bills, that had passed both Houses :

An Act creating two additional Precincts in the County of Bernalillo ;

An Act incorporating the Pious Fraternity of Taos County ;

An Act reforming the law prohibiting Gaming ;

An Act prohibiting the flooding and the obstructing of Roads ;

An Act relative to the Clerks of the Probate Judges ; and,

An Act incorporating the San Miguel Wool Manufacturing Company.

And also the following Council Bills :

An Act providing for the payment of the Volunteer forces that served under the command of Col. Manuel Chavez, against the Navajo tribe, in the autumn of 1861 ; and

An Act amendatory of an Act providing additional Precincts in the County of Taos.

On motion of Mr. Borrego, the House then adjourned until to-morrow, at 10 o'clock A. M.

WEDNESDAY, JANUARY 30, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

A message was received from the Council, advising this

House that the Council had concurred with the House in the following entitled acts, to-wit:

An Act creating an additional Precinct in Bernalillo County;
An Act prohibiting the Service of Process by persons who have not given Bond.

The Committee on Enrolled Bills reported that they had examined the following entitled Act and Joint Resolution:—
“An Act requiring the different Judges of Probate to call meetings of the people of their respective counties for the purpose of adopting the most suitable measures to secure in some manner the safety of the people, and to prevent themselves from being murdered and robbed by the savage Indians;” and “A Joint Resolution requiring the printing of the Laws and Journals of the present Session,” and found them correctly enrolled.

The Speaker then signed said act and joint resolution.

The Standing Committee to which was referred “An Act amendatory of the Election Law,” reported in favor of the passage of said act.

Which report was adopted, and said act read the third time and passed.

The Standing Committee to present House Acts passed by both Houses to His Excellency the Governor, for his approval, reported that they had presented the following entitled Bills, to-wit:

An Act reforming the Law prohibiting Gaming;
An Act incorporating the Taos County Pious Fraternity Company;
An Act to prevent the Roads from being flooded or obstructed in their free travel;
An Act relative to the Clerks of the Probate Judges;
An Act incorporating the New Mexico Wool Manufacturing Company; and
An Act requiring the Probate Judges to assemble the people of their respective counties for the purpose of adopting such measures as they may deem expedient, to prevent themselves from being murdered and robbed by the savage Indians.

“An Act apportioning the Representation in the election of members to the Legislative Assembly,” was then read the third time.

Mr. Garcia of Socorro moved said act be laid on the table; which motion was lost by a vote of 14 to 6.

Those who voted in the affirmative were Messrs. Chavez y

Perea, Garcia of Socorro, Keithly, Mestas, Rael, and Whitlock—6.

Those who voted in the negative were Messrs. Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Lovato, Martinez, Mondragon, Pino, Roival, Sanchez, Salazar, Trujillo, Valdez, and Mr. Speaker—14.

On motion of Mr. Martinez, said bill passed by a vote of 15 to 5.

Those who voted in the affirmative were Messrs. Borrego, Chavez y Perea, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Lovato, Martinez, Mondragon, Pino, Roival, Sanchez, Salazar, Trujillo, Valdez, and Mr. Speaker.

Those who voted in the negative were Messrs. Garcia of Socorro, Keithly, Mestas, Rael and Whitlock.

Mr. Chavez y Perea moved a reconsideration of said vote; which motion was lost by a vote of 14 to 6.

Those who voted in the affirmative were Messrs. Chavez y Perea, Garcia of Socorro, Keithly, Mestas, Rael, and Whitlock.

Those who voted in the negative were Messrs. Borrego, Chavez of Bernalillo, Gallegos, Garcia of Bernalillo, Lovato, Martinez, Mondragon, Pino, Roival, Sanchez, Salazar, Trujillo, Valdez, and Mr. Speaker.

A message was received from His Excellency the Governor, informing this House that he had approved the following entitled House Bills, to-wit:

An Act reforming the law prohibiting Gaming;

An Act to incorporate the Taos County Pious Fraternity Company;

An Act to incorporate the New Mexico Wool Manufacturing Company;

An Act creating two additional Precincts in the County of San Miguel;

An Act to prevent the Roads from being flooded and obstructed in their free travel; and

An Act relative to Clerks of the Probate Courts.

On motion of Mr. Mondragon, the House then adjourned until to-morrow, at 10 o'clock A. M.

THURSDAY, JANUARY 31, 1861.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The journal of yesterday was then read and approved.

On motion of Mr. Pino, the business on the Speaker's table was taken up out of order.

"An Act to prevent the firing of Woods and Prairies," was then taken up, and the rules being suspended for the purpose, was read the second and third time, and passed.

"An Act providing for the feeding of the Prisoners for the County of Santa Fé," was, by a suspension of the rules, read the first and second time, when Mr. Pino offered the following amendment to said bill, and first section thereof:

"Provided, That no Sheriff or Jailor shall have the right to demand, under any law, turnkey's fees from any person put in Jail."

Which amendment was adopted.

Which act, on a suspension of the rules, was then read the third time and passed.

"An Act providing for the purchase of Powder, Lead, Caps, and for other purposes," was then, by a suspension of the rules, read the first, second and third time, and passed.

"An Act fixing the times of holding the District Courts in the Counties of San Miguel, Mora and Taos," was then, by a suspension of the rules, read the first, second and third time, and passed.

"An Act apportioning the members of the Legislative Assembly;" was, by a suspension of the rules, read the first and second time; when Mr. Pino offered a substitute for said act of the same title; which substitute was rejected.

On motion of Mr. Salazar, the said original bill was referred to the Committee of the whole House.

The Council concurred in the passage of the following entitled House Bills, to-wit:

An Act incorporating the San Miguel Leather Manufacturing Company;

An Act incorporating the San Miguel Wool Manufacturing Company;

An Act requiring Indian Agents and Sub-Agents to distribute presents to Indians as in this act provided, and for other purposes;" and

An Act amendatory of the Election Law.

The Standing Committee on Enrolled Bills reported that they had examined the following entitled Bills, to-wit:

An Act prohibiting the service of Process by persons who have not given Bond; and

An Act creating an additional Precinct in the County of Bernalillo," and find them correctly enrolled.

Which acts were then signed by the Speaker.

Mr. Pino then offered the following Preamble and Resolution :

“Whereas the Legislative Assembly of New Mexico, by an Act entitled ‘An Act to establish the time and mode of apportioning the Council and House of Representatives of the Legislative Assembly of the Territory of New Mexico, approved January 26, 1860, by which has been transferred, by the second section thereof, to the Governor of said Territory, the power which is only conferred on the said Legislative Assembly by the Organic Law, and which cannot be transferred to the Governor, nor to any other person; and whereas, it is our opinion that the Legislative Assembly that passed said act made a mistake in passing a law so entirely contrary to the spirit of the Organic Law; and whereas it is the firm opinion that the basis of said law, giving to the Governor the power to make such division, is the last census taken in this Territory; and whereas it is the firm opinion of the House of Representatives that said census is not the true census of the Territory, and therefore, is not the principle by which the division should be made: Therefore,

“Be it Resolved by the House of Representatives of the Territory of New Mexico, That we hope His Excellency the Governor will consider the subject in the premises, and in case the present Legislative Assembly should not make the the division of Representation, that he will not exercise the power to him mistakingly conferred, and contrary to the Organic Law, by said act.

“Be it further Resolved, That in case His Excellency the Governor, notwithstanding the request to him made by this House not to take action on the division of representation, we now solemnly protest, in the name of this House and in the name of the people we represent, against such action, as contrary to the Organic Law, and as offensive to the sacred rights of the people.

“Be it further Resolved, That on the approval by this House of this Preamble and Resolutions, the Chief Clerk of this House is requested to transmit, as soon as possible, to His Excellency the Governor of this Territory, a copy of this Preamble and Resolutions.”

Mr. Rael moved said preamble and resolutions be laid on the table indefinitely; which was not agreed to.

Mr. Chavez y Perea offered the following amendment: “That every thing in reference to the census be stricken out;” which amendment was rejected.

On motion of Mr. Whitlock, the House then adjourned until 3 o'clock P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment, and, there being a quorum present, proceeded to business.

The Standing Committee on Enrolled Bills reported that they had examined the following entitled Bills, to-wit, and found them correctly enrolled :

An Act amendatory of the Election Law ;

An Act incorporating the San Miguel Leather Manufacturing Company ;

An Act requiring Indian Agents and Sub-Agents to distribute presents to Indians as herein provided, and for other purposes."

Which acts were then signed by the Speaker.

On motion of Mr. Pino, the business on the Speaker's table was then taken up.

The Council concurred in the passage of two House Memorials ; one praying Congress for an appropriation to support a regiment of Mounted Volunteers in this Territory ; and the other, setting forth to Congress the murders and robberies committed by the Indians, during the year 1860.

The Speaker then signed the following entitled Council Bills, to-wit :

An Act providing for the purchase of Ammunition, and for other purposes ;

An Act to prevent the Firing of Woods and Prairies ;

An Act providing for the Feeding of Prisoners in Jail in the County of Santa Fé ;

An Act fixing the times of holding the District Courts in the Counties of San Miguel, Mora, and Taos ; and

An Act incorporating the San Miguel Wool Manufacturing Company.

The Standing Committee to present to His Excellency the Governor, House Bills passed by both Houses for his approval, reported that they had presented to His Excellency the following entitled Bills, to-wit :

An Act prohibiting the service of Process by persons that have not given Bond ;

An Act creating an additional Precinct in the County of Bernalillo ;

An Act amendatory of the Election Law ;

An Act incorporating the San Miguel Wool Manufacturing Company ;

An Act requiring Indian Agents and Sub-Agents to distribute presents to Indians, as provided by this Act, and for other purposes.

A Committee was received from the Legislative Council, who informed this House that the Council had finished the business before them, and were now ready to adjourn.

Whereupon, the Speaker of this House informed said committee that this House had not finished the business before it, and therefore requested that the honorable Council would not adjourn until the business before it should be acted upon; and further, until His Excellency the Governor should have time to examine the acts submitted to him for his signature and approval.

On motion of Mr. Salazar, a Committee was appointed, composed of Messrs. Whitlock, Pino, and Lovato, to request the Council not to adjourn until this House shall have finished the business thereof, and to give His Excellency the Governor time to examine and act upon such acts as have been laid before him this evening for his signature.

The said committee returned after a short absence, and reported to this House that they had complied with the duty assigned them.

When, on motion of Mr. Salazar, a committee was appointed to inform His Excellency the Governor that this House would be ready to adjourn at 10 o'clock P. M.

A message was received from His Excellency the Governor, by Samuel Ellison, Esq., his private Secretary, advising this House that His Excellency had signed the following entitled House Bills, to-wit:

An Act incorporating the San Miguel Leather Manufacturing Company;

An Act requiring the Indian Agents and Sub-Agents to distribute presents to Indians as prescribed in this, act and for other purposes;

An Act amendatory of the Election Law;

An Act incorporating the San Miguel Wool Manufacturing Company;

An Act creating an additional Precinct in Bernalillo County.

And also stated that he had been instructed by H. E. the Governor, to advise this House that in consequence of the adjournment of the Legislative Council until to-morrow at 10 o'clock A. M., to inform this House of the approval of Council Bills, by H. E., of the following titles, to-wit:

An Act providing for the Feeding of Prisoners of the County of Santa Fé;

An Act to prevent the firing of Woods and Prairies;

An Act authorizing the purchase of Powder, Lead, and Caps, and for other purposes; and

An Act fixing the time of holding the District Courts in the Counties of San Miguel, Mora, and Taos.

The Committee appointed for the purpose of advising H. E. the Governor that this House would be ready to adjourn at 10 o'clock P. M., without day, returned and reported that they had complied with their duty, as assigned to them, and that H. E. the Governor stated, that as the Council had adjourned, he could not, therefore, take any act under examination, and that the House could adjourn.

Mr. Whitlock then offered the following resolution :

“Resolved, That the thanks of this House be tendered to the Speaker, and to the Chief Clerk, and all other officers of this House, for the ability and integrity with which they have discharged their official duties during the present session.”

Which resolution was unanimously adopted.

On motion of Mr. Chavez y Perea, the House then adjourned, *sine die*.

(Signed,)

J. M. GALLEGOS,

Speaker of the House of Representatives.

(Signed,)

FACUNDO PINO, *Chief Clerk*

House of Representatives.

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" to incorporate the Pious Fraternity of the County of Taos.	
Read 1st time	85
" 2d time	87
Passage recommended	88
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Concurred in	93
Signed by Speaker	100
Approved	102
" authorizing Volunteer Campaigns and Guerrillas.	
Read 1st and 2d time	85
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Taken up without decisive action	94
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Passed	102
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Read 1st time	87
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" incorporating the Rio del Norte Mining Company.	
Read 1st time	88
" 2d time	91
" 3d time, and passed	93
Passed by the Council, and signed by the Speaker	96
" creating an additional Precinct in the County of Mora.	
Read three times, and passed with an amendment.	
Concurred in, and signed by Speaker	92
" requiring the discharge of official duties in the Supreme Court.	
Read 1st time, and rejected	88
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	Signed by the Speaker.....	105
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	Read 1st and 2d time.....	97
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" to prevent the firing of Woods and Prairies.]		
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Signed by Speaker	105
Approved	106
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